THE

# BENGAL LEGISLATIVE COUNCIL

# PROCEEDINGS.

(Official Report.)

## SIXTH SESSION.

## 1921.

## VOLUME VI.

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# GOVERNMENT OF BENGAL.

## GOVERNOR OF BENGAL.

His Excellency the Right Hon'ble LAWRENCE JOHN LUMLEY DUNDAS, Earl of Ronaldshay, G.C.I.E.

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4. Ecclesiastical.
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## GOVERNMENT OF BENGAL.

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The Hon'ble Nawab Sir SYED SHAMS-UL-HUDA, K.C.I.E.

DEPUTY-PRESIDENT.

Babu SURENDRA NATH RAY, M.L.C.

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The Hon'ble the Nawab SAIYID NAWAB ALI CHAUDHURI, Khan Bahadur, C.I.E., in charge of the following portfolios:—

Agriculture, Industries, Excise and Public Works.

# BENGAL LEGISLATIVE COUNCIL.

## ALPHABETICAL LIST OF MEMBERS.

### A

Addy, Babu Amulya Dhone. (Bengal National Chamber of Commerce.)
Afzal, Nawabzada K. M., Khan Bahadur [Dacca City (Muhammadan).]
Ahmed, Khan Bahadur Maulvi Wasimuddin. [Pabna (Muhammadan).]
Ahmed, Maulvi Azaharuddin. [Bakarganj West (Muhammadan).]
Ahmed, Maulvi Emaduddin. [Rajshahi South (Muhammadan).]
Ahmed, Mr. M. [Faridpur South (Muhammadan).]
Ahmed, Maulvi Rafi Uddin. [Jessore South (Muhammadan).]
Ahmed, Maulvi Yakumuddin. [Dinajpur (Muhammadan).]
Ahmed, Munshi Jafar. [Noakhali (Muhammadan).]
Aley, Mr. S. Mahboob. [Calcutta South (Muhammadan).]
Ali, Maulvi Syed Muksood. [24-Parganas Municipal North (Muhammadan).]
Ali, Mr. Syed Erfan. [Nadia (Muhammadan).]
Ali, Mr. Syed Nasim. [24-Parganas Rural (Muhammadan).]
Ali, Munshi Amir. [Chittagong (Muhammadan).]
Ali, Munshi Ayub. [Chittagong (Muhammadan).]
Arhamuddin, Maulvi Khandakar. [Mymensingh West (Muhammadan).]
Azam, Khan Bahadur Khwaja Mohamed. [Dacca East Rural (Muhammadan).]

Banerjea, the Hon'ble Sir Surendra Nath. [Minister, 24-Parganas Municipal (Non-Muhammadan).]
Banerjee, Rai Bahadur Abinash Chandra [Birbhum (Non-Muhammadan).]
Barma, Rai Sahib Panchanan. [Rangpur (Non-Muhammadan).]
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Basu, Babu Jatindra Nath. [Calcutta North (Non-Muhammadan).]
Beadel, Mr. C. F. (Bengal Chamber of Commerce)
Bhattacharji, Babu Hem Chandra. (Nominated Non-Official—Labouring Classes.)
Birla, Babu Ghaneshyam Das. (Nominated Non-Official.)
Biss, Mr. E. E. (Nominated Official.)
Bompas, Mr. C. H. (Nominated Official.)
Bose, Mr. S. M. [Mymensingh East (Non-Muhammadan).

C

Carey, Mr. W. L. (Indian Mining Association.)
Charmakar, Babu Rasik Chandra. [Noakhali (Non-Muhammadan).]
Chaudhuri, Babu Kishori Mohan. [Rajshahi (Non-Muhammadan).]
Chaudhuri, Babu Tankanath. [Dinajpur (Non-Muhammadan).]
Chaudhuri, Khan Bahadur Maulvi Hafizar Rahman. [Bogra (Muhammadan).]
Chaudhuri, Maulvi Shah Muhammad. [Malda *cum* Jalpaiguri (Muhammadan).]
Chaudhuri, Rai Harendranath. [24-Parganas Rural North (Non-Muhammadan).]
Chaudhuri, Sir Ashutosh [Bogra *cum* Pabna (Non-Muhammadan).]
Chaudhuri, the Hon'ble the Nawab Saiyid Nawab Ali, Khan Bahadur [Minister, Mymensingh East (Muhammadan).]
Cohen, Mr. D. J. [Calcutta South Central (Non-Muhammadan).]
Currie, Mr. W. C. (Bengal Chamber of Commerce).

D

Das, Babu Bhishmadev. (Nominated Non-official—Depressed Classes.)
Das, Mr. S. R. [Calcutta North-West (Non-Muhammadan).]
Das Gupta, Babu Nibaran Chandra. [Bakarganj North (Non-Muhammadan).]
De, Babu Faniudralal. [Hooghly *cum* Howrah Rural (Non-Muhammadan).]
Dey, Mr. G. C. (Nominated Official.)
Doss, Rai Bahadur Pyari Lal. [Dacca City (Non-Muhammadan).]
Dutt, Mr. Ajoy Chunder. [Bankura East (Non-Muhammadan).]
Dutt, Rai Bahadur Dr. Haridhan. [Calcutta North Central (Non-Muhammadan).]
Dutta, Babu Annada Charan. [Chittagong (Non-Muhammadan).]
Dutta, Babu Indu Bhushan. [Tippera (Non-Muhammadan).]
Duval, Mr. H. P. (Nominated Official.)

F

Faroqui, Mr. K. G. M. [Tippera (Muhammadan).]
Forrester, Mr. J. Campbell. [Presidency and Burdwan (European).]
French, Mr. F. C. (Nominated Official.)

G

Ghatak, Rai Sahib Nilmani. [Malda (Non-Muhammadan).]
Ghose, Mr. D. C. [24-Parganas Rural South (Non-Muhammadan).]
Ghose, Rai Bahadur Jogendra Chunder. (Calcutta University).
Goode, Mr. S. W. (Nominated Official.)
Gordon, Mr. A. D. (Indian Tea Association).

H

Haq, Maulvi A. K. Fazl-ul. [Khulna (Muhammadan).]
Haq, Shah Syed Emdadul. [Tippera (Muhammadan).]
Hindley, Lt.-Col. C. D. M. (Nominated Official.)
Hopkyns, Mr. W. S. (Nominated Official.)
Huq, Maulvi Ekramul. [Murshidabad (Muhammadan).]
Hussain, Maulvi Md. Madassur. [Burdwan Division North (Muhammadan).]

James, Mr. R. H. L. Langford (Indian Jute Mills Association.)
Janah, Babu Sarat Chandra. [Midnapore South (Non-Muhammadan).]

K

Karim, Maulvi Abdul. [Faridpur North (Muhammadan).]
Karim, Maulvi Fazlal. [Bakarganj South (Muhammadan).]
Kerr, the Hon'ble Mr. J. H. (Member, Executive Council.)
Khan, Babu Debendra Lal. [Midnapore North (Non-Muhammadan).]
Khan, Maulvi Hamid-ud-din. [Rangpur East (Muhammadan).]
Khan, Maulvi Md. Rafique Uddin. [Mymensingh East (Muhammadan).]
Khan, Mr. Razaur Rahman. [Calcutta North (Muhhammadan).]
Khan Chaudhuri, Khan Bahadur Maulvi Md. Ershad Ali. [Rajshahi North (Muhammadan).]

L

Lang, Mr. J. (Nominated Official.)
Larmour, Mr. F. A. (Calcutta Trades Association.)
Law, Raja Reshee Case. (Bengal National Chamber of Commerce.)

M

Maharajadhiraja Bahadur of Burdwan, the Hon'ble. (Member, Executive Council.)
Makramali, Munshi. [Noakhali (Muhammadan).]
Mallik, Babu Surendra Nath. [Calcutta South (Non-Muhammadan).]
Marr, Mr. A. (Nominated Official.)
McKenzie, Mr. D. P. (Indian Jute Mills Association.)
Mitra, Rai Bahadur Mahendra Chandra. [Hooghly Municipal (Non-Muhammadan).]
Mitter, the Hon'ble Mr. Provash Chunder. (Minister, Presidency Landholders.)
Moitra, Dr. Jatindra Nath. [Faridpur North (Non-Muhammadan).]
Morgan, Mr. G. (Bengal Chamber of Commerce.)

Mukharji, Babu Satish Chandra [Hooghly *cum* Howrah Rural (Non-Muhammadan.)]

Mukherjee, Babu Nitya Dhon. [Howrah Municipalities (Non-Muhammadan.)]

Mukherji, Professor S. C. (Nominated Non-Official—The Indian Christian Community.)

Mukhopadhaya, Babu Sarat Chandra. [Midnapore South (Non-Muhammadan.)]

Mullick, Babu Nrode Behary. [Bakarganj South (Non-Muhammadan.)]

## N

Nakey, Mirza Muhammad Ali [24-Parganas Municipal South (Muhammadan).]

Nasker, Babu Hem Chandra [24-Parganas Rural Central (Non-Muhammadan).]

## P

Pahlowan, Maulvi Md Abdul Jubbar [Mymensingh West (Muhammadan).]

Pal, Rai Bahadur Radha Charan [Calcutta East (Non-Muhammadan).]

Payne, Mr. C. F. (Nominated Official.)

Poddar, Babu Keshoram (Bengal Marwari Association.)

Pugh, Colonel A. J. [Presidency and Burdwan (European).]

## R

Rae, Mr. W. R. [Presidency and Burdwan (European).]

Raheem, Mr. Abdur. (Nominated Non-Official.)

Rahim, the Hon'ble Sir Ad-ur. (Member, Executive Council.)

Raikat, Mr. Prasanna Deb [Jalpaiguri (Non-Muhammadan).]

Rauf, Maulvi Shah Abdur. [Rangpur West (Muhammadan).]

Ray, Babu Bhabendra Chandra [Jessore North (Non-Muhammadan).]

Ray, Babu Surendra Nath. [Deputy-President, 24-Parganas Municipal South (Non-Muhammadan).]

Ray, Kumar Shib Shekhareswar. (Rajshahi Landholders.)

Ray, Rai Bahadur Upendra Lal. (Chittagong Landholders.)

Ray Chaudhuri, Babu Brojendra Kishor. (Dacca Landholders.)

Ray Chaudhuri, Mr. Krishna Chandra. (Nominated Non-Official Labouring Classes.)

Ray Choudhury, Raja Manmatha Nath. [Mymensingh West (Non-Muhammadan).]

Robinson, Major-General W. H. B. (Nominated Official.)

Roy, Babu Jogendra Krishna. [Faridpur South (Non-Muhammadan).]
Roy, Babu Jogendra Nath. [Dacca Rural (Non-Muhammadan).]
Roy, Babu Nalini Nath. [Jessore South (Non-Muhammadan).]
Roy, Maharaja Bahadur Kshaunish Chandra. [Nadia (Non-Muhammadan).]
Roy, Mr. Bijoy Prosad Singh. [Burdwan (Non-Muhammadan).]
Roy, Mr. J. E. (Bengal Chamber of Commerce.)
Roy, Mr. Tarit Bhusan. (Bengal Mahajan Sabha.)
Roy, Rai Bahadur Lalit Mohan Singh. (Burdwan Landholders.)
Roy, Raja Manilall Singh. [Burdwan (Non-Muhammadan).]
Roy Chaudhuri, Babu Sarlaja Nath. [Khulna (Non-Muhammadan).]

**S**

Salam, Khan Bahadur Abdus. [Jessore North (Muhammadan).]
Sarkar, Babu Jogesh Chandra. [Rangpur (Non-Muhammadan).]
Sarkar, Babu Rishindra Nath. [Bankura West (Non-Muhammadan).]
Sinha, Babu Surendra Narayan. [Murshidabad (Non-Muhammadan).]
Stark, Mr. H. A. (Anglo-Indian.)
Stephenson, Mr. H. L. (Nominated Official.)
Suhrawardy, Dr. A. [Dacca West Rural (Muhammadan).]
Suhrawardy, Dr. Hassan. [Hooghly *cum* Howrah Municipal (Muhammadan).]
Suhrawardy, Mr. Huseyn Shaheed. [Burdwan Division South (Muhammadan).]
Swan, Mr. J. A. L. (Nominated Official.)

**T**

Travers, Mr. W. L. [Rajshahi (European).]

**W**

Watson-Smyth, Mr. R. M. (Bengal Chamber of Commerce.)
Wheeler, the Hon'ble Sir Henry. (Member, Executive Council.)
Williams, Mr. C. Addams. (Nominated Official).
Wordsworth, Mr. W. C. (Nominated Official.)

# THE BENGAL LEGISLATIVE COUNCIL PROCEEDINGS.

## (Official Report of the Sixth Session.)

**Proceedings of the Bengal Legislative Council assembled under the provisions of the Government of India Act.**

THE Council met in the Council Chamber in the Town Hall, Calcutta, on Monday, the 19th December, 1921, at 10 minutes to 3 P.M.

### Present:

The Hon'ble the President, the Hon'ble the four Members of the Executive Council, the Hon'ble the three Ministers, and 115 nominated and elected members.

At 3 P.M. the Registrar to the Council announced to the President that His Excellency the Governor was without.

The President then left his seat on the *dais* and met His Excellency at the door of the Chamber. His Excellency then entered the Chamber with the Hon'ble the President and, at the request of the President, took his seat in the presidential chair, the Hon'ble the President being seated on His Excellency's right.

### His Excellency the Governor's Address.

**HIS EXCELLENCY THE GOVERNOR OF BENGAL (the Earl of Ronaldshay):** MR. PRESIDENT,—My excuse for addressing the Council again so soon after having done so on the occasion of the opening of the session must be the special circumstances under which it meets to-day. Government are not yet in a position to place its complete proposals for increasing the revenue before the Council, and under these circumstances I had intended to postpone this meeting until a later date. I should have done so had it not been for the fact that I received notice of the wish of a member to move the adjournment in order to discuss the application of the Indian Criminal Law Amendment Act of 1908 to the province and the Seditious Meetings Act to one district of the province. As soon as I received this notice I came to the conclusion that the meeting ought not to be postponed. At the same time I have to state that since our financial proposals are not yet complete, the only business before the Council on this occasion will be the discussion on the motion for adjournment.

Now let me say something on the subject which is uppermost in every one's minds, namely, the unhappy situation which has recently arisen. I am not sure if the motion to be moved is to be regarded as an attack upon the broad principle on which the policy of Government is based or whether its purpose is to criticise the manner in which the policy itself has been carried out. If the latter is the object I have no complaint against the Council. Indeed I should be the last person to suggest that criticism of the way in which effect had been given to the policy of Government was not an altogether proper function of the Council. Government has no reason to regard temperate and reasoned criticism as anything but advantageous. It places Government in possession of the views of the Council and it enables Government itself to explain its action and to disabuse the public mind where necessary of many ideas which are based on the false rumours and exaggerated statements which inevitably gain currency at times of excitement such as the present. If, on the other hand, the motion is intended to be an attack on the broad principles upon which the policy of Government rests, then I confess that I should feel that I had good cause for complaint. Let me explain. The policy of Government was set forth by me when addressing the Council on November 21st. The policy seemed to rest upon an unassailable foundation. It was in fact this and nothing more than this the discharge of its primary duty of securing to the law-abiding public the liberty to pursue its lawful business and pleasure unmolested. At the time when I made this statement of policy there were certain organizations known as "Volunteer Corps" which for a considerable time past had been becoming steadily bolder in their interference with the liberty of the law-abiding public. I informed the Council of the action which Government had been driven to take, namely, that of declaring these corps to be unlawful associations under the Criminal Law Amendment Act of 1908. I added that Government felt obliged to exercise control over the holdings of meetings and processions in certain areas, and finally that it must take steps against anyone deliberately defying the law. These briefly are the broad principles on which the policy of Government rests; and I certainly received the impression from the debate which ensued that these principles were fully endorsed by the Council. Before Government took the action which I have referred I and my Government had been receiving complaints from peaceful citizens in all parts of the province of intimidation and boycott. These complaints had been becoming more and more insistent. I was asked, was Government no longer willing to protect the public from this form of molestation? And I was urged to take action against the agencies by which this particular form of violence was being practised. These complaints had become so numerous that I did not think it necessary when addressing the Council on November 21st to give any narrative of events leading up to the situation which compelled us to take action. I thought they were too well known. It seems, however, that there are many who are not fully aware of what has been happening or who have failed to appreciate the real

significance of events. Let me, therefore, place before you, without heat of any kind, a brief outline of events. I will not go further back than October last. At the beginning of that month a manifesto, signed by Mr. Gandhi and a large number of other prominent non-co-operators, laid it down that it was the duty of every Indian soldier and Civilian to sever his connection with Government. There followed two important developments—an intensive campaign to undermine the loyalty of the police and a rapid development in the activities of "volunteer" corps. Alongside of these two significant developments was to be observed a rapid increase in open lawlessness and defiance of constituted authority. There were breaches of the peace in Howrah and Calcutta which are within the recollection of all. But such episodes were not confined to Calcutta. All over the Presidency persons were moving, stirring up disaffection among the masses. This process was assisted by an intensive campaign of highly inflammatory speeches which had been in progress for some months past. Between the beginning of June and the middle of November, I received reports of no less than 1,265 meetings held in different parts of the province. I could quote passages from these speeches which are so inflammatory, so violent in their abuse that they would shock the Council. I refrain from doing so for the sole reason that I do not want to excite feeling unnecessarily. But I can assure the Council that, addressed, as in nine cases out of ten these speeches have been, to audiences made up of the illiterate and emotional masses, they could have but one result namely, that of spreading broadcast feelings of hatred and disaffection and of goading the people to violence. And that, indeed, has already been the actual result. Assaults on Settlement Officers have taken place. Government servants have been threatened and boycotted. Now let me return to Calcutta; and I take the events of November 17th to illustrate the state of affairs which had been reached. The life of the city was paralysed. Were the police provocative? Certainly not. On the contrary the almost universal complaint made to me was that the police remained inactive and refrained from making arrests. Now let us consider *this* question. Did the public desire this paralysis of the normal life of the city? Did the people agree to suspend their ordinary activities voluntarily? Most assuredly not. Most bitter were the complaints made to me by Indian and European alike of the compulsion which was applied to restrain them from proceeding about their lawful business. I was told by the non-co-operation Press that I was the victim of a disordered imagination when I believed that intimidation was employed. Well, if this statement of the non-co-operation Press is true, what follows from it? It follows that a large number of gentlemen, Indian and European, whose good faith I have never had the smallest reason to doubt, have been guilty of a conspiracy to make false statements to me. Such a supposition is too fantastically absurd to be worthy of a moment's consideration. Why, there is a case before the Courts at this moment in which an Indian gentleman charges a number of the members of the Khilafat Committee with intimidation of the most violent and disgraceful

kind. I do not comment on the case since it is *sub judice;* I merely state the fact. And, indeed, are there not members of this Council itself who can prove from personal experience that this is not an isolated case? It is these unlawful activities that decided Government to proscribe these corps. If they had confined their activities to selling *khaddar* and to asking shopkeepers politely not to do business on any particular day, I should never have dreamed of proceeding against them. But we know quite well that that was not the case. Picketing was resorted to an extent which constituted an intolerable interference with the liberty of a number of perfectly law-abiding persons. And bitter were the complaints of a large class of Indian traders that they were being compelled against their will to adopt a course which they did not wish to adopt. Many forms of intimidation were practised. And last but not least these corps usurped the functions of authority and claimed to control the life of the city. Was it to be wondered at if the unruly elements in the population, seeing the authority of the police thus challenged, thought that the times were favourable for the play of their lawless instincts? Stone-throwing at innocent persons became common; vehicles were held up and compelled to deposit their fares, and there was general talk of a *Goonda Raj*. And I would ask in all seriousness, is it now suggested that these organizations should be reinstated and permitted once more to take control of the life of the city? That, indeed, appears to be the course advocated in some quarters. In a letter addressed to me by the Indian Association, for example, the action taken against these corps is condemned particularly and here I quote from the letter "at a time when it was widely known that an early repeal of these obnoxious pieces of legislation had been unanimously recommended by the Repressive Laws Committee."

I am afraid that the Indian Association cannot have had the report of the Committee before them when they called it in, in support of their demand. Let me remind the Council of what the Repressive Laws Committee actually said about the Criminal Law Amendment Act and the Seditious Meetings Act:

I take the following from their report:

> "As we have already seen, there is definite evidence of certain organizations encouraging acts of violence or resorting to intimidation. Recently in Delhi it has been necessary to declare certain associations of 'volunteers' unlawful under section 16 of this Act. We have carefully examined the circumstances which led to this action. The 'volunteer' movement began with 'social service,' but the adherents soon developed a definite tendency to interfere with the duties of the police and the liberty of the public. They then began to intimidate and terrorise the general body of the population. There was a tendency towards hooliganism."

These statements were made with regard to the situation in Delhi, but will anybody deny that they apply with extraordinary fidelity to the situation which we have recently experienced in Calcutta?

I now come to the important words of the Report

> "We regret that we cannot at this juncture recommend the immediate repeal of Part II of the Act. There are too evident indications that its application might be necessary to prevent the formation of secret societies. It must be remembered that there is no legislation in India for the prohibition of drilling and military training without lawful authority on the lines of the English statute."

And the very last words of the Committee's Report are as follows:

> "We advise that the repeal of the Prevention of Seditious Meetings Act, 1911, and Part II of the Indian Criminal Law Amendment Act, 1908, should be deferred for the present. Their retention is necessary in view of recent occurrences and possible developments, which we cannot but regard with the gravest apprehension."

The Committee, in fact, foresaw what has actually come to pass, namely, that as a result of the developments which were taking place in the non-co-operation movement, Government might be placed by circumstances which were not of its own seeking in a position when it had either to abdicate or to assert its authority. Nothing which has since happened has moved me by one hair's breadth from my conviction that in adopting the latter alternative it took the only possible course. And if I was asked to-day whether I thought that Government could safely pursue a different course, I should reply in the circumstances of the moment, No. But I should add that since it was to meet a particular set of circumstances that Government took action, Government might be able to reconsider its position if the circumstances which gave rise to it, themselves underwent a radical change. I shall have something to say on this possibility before I sit down. But before doing so I feel bound to refer to the complaints which have reached me as to the manner in which the policy of Government has been enforced.

We have been criticised for placing military pickets in the town. Had we no grounds for doing so? I have already told the Council of one case of alleged violent intimidation which throws a somewhat lurid light on the claims of some at least of those associated with the movement to non-violence. I have now to inform the Council of the discovery on the night of December 8th of a number of sinister weapons concealed in an untenanted house in the heart of the town. The nature of these weapons left little doubt as to the sort of use to which they were intended to be put —swords ingeniously concealed in the handles of umbrellas, daggers of a peculiarly vicious type, *tulwars* and jars of acid. Very well, then I

would lay stress upon this—that with so many recent outbreaks of rioting in the streets of the city fresh in one's mind and with these further evidences of the sort of activities which were in progress at the moment, it was not unreasonable as a precautionary measure to have recourse to a limited number of military patrols. These patrols were withdrawn as soon as the necessity for their use seemed to the responsible authorities to have passed, and, as a matter of fact, they were only in use altogether on a portion of two days. But it is not possible to say that occasion for the employment of troops may not again arise if incitements to violence continue. Only three days ago an Urdu manuscript leaflet was found posted up in the city of which the following is a translation:—

> "What are you thinking about only? Just come face to face with your opponent. Let yourself be cut to pieces, even to death, but do not let any loss come to the Khilafat. Do not look towards Bagdad, neither do you look towards the army, but kill your enemy right and left. Do not let any of your enemy to be left unkilled if you see him, and do not think that you are alone, because you are being helped by Imam Mehdi, who is standing in front of you. Call him. Just fly a flag in your hand and cry out *Khoda, Khoda*, beat a drum in the name of Din Muhammad throughout the lanes."

These are things which Government cannot ignore. Then complaints have been made as to the behaviour of the Civil Guard. Well: the Civil Guard was not created by Government, it came into existence as the result of spontaneous action on the part of European and Indian non-official gentlemen—action, I may observe incidentally, which in itself provides additional proof of the serious nature of the interference with the liberty of the people of which the non-co-operators were guilty. Government agreed to regularise this body by conferring upon its members certain powers under the Police Act. Such, then, being the origin of the body, it is not altogether surprising if, in the rush of recruits to join, some unsuitable persons were enrolled. As soon as I received complaints of the conduct of individual members I enquired into the matter and, as a result, strict instructions have been issued by Government with a view to guarding in future against incidents such as those of which I have received complaint. For example, instructions have been issued that powers under the Police Act should be conferred only upon persons of known respectability. Further, that members of the Force should act under the orders of their patrol leaders only, and that independent action of individual members is not wanted and can only lead to misunderstandings. Instructions have also been issued to guard against the possible misuse of firearms in the case of persons entitled to carry them in their private capacity. Such arms, for example, are only to be carried on duty with the authority of the patrol leader which will only be given for good and sufficient reasons to men of known responsibility.

I am quite ready to believe that there have been complaints against individual members which may have been well founded, but every possible precaution has now been taken to guard against this in future and I would express my unqualified admiration of the unselfish manner in which so large a number of respectable citizens have thus come forward voluntarily to take their share in the none too easy task of maintaining law and order in this city.

Then complaint has been made that trials have been largely held *in camera*. I have enquired into this and I have been informed that in three cases the Court has been cleared by the Magistrate by virtue of the right vested in him by clause 352 of the Criminal Procedure Code and I have been informed that this course was only taken by the Magistrate because he was unable to proceed with the trial owing to the demonstrations which were taking place in Court.

Then I have received complaints of ill-treatment of individual prisoners. The case which has attracted most attention was that of the son of Mr C. R Das. As soon as this case was brought to my notice I ordered an inquiry and called for a medical report Perhaps I had better read the report of the medical officer:

> "I have the honour to state that I have made a very careful examination of the person of Chitaranjan Das and found no marks or bruises of any kind except a healed scar between the thumb and forefinger of the right hand which the prisoner said was caused by an injury received about a month before There was no injury on the head The allegation that his arm was twisted so much that it fairly came to the point of breaking would have necessitated such force as to leave some marks or bruises behind. There were no such marks."

It will be clear from this and various other episodes that many false statements and much exaggeration finds its way into the public Press at a time of excitement like the present, and I would beg the members of this Council not to assume that everything which they read in the newspapers or everything which they hear must necessarily be true

But, perhaps, the most general complaint has been of indiscriminate arrests. It is the case that large numbers of persons including students have been arrested. And no one regrets more than I do that this should be so. But surely the blame rests primarily upon those who have played upon the patriotic impulses of these young men Was it not with the object of getting them imprisoned that appeals were made to their easily-stirred emotions, and that they were urged to defy the law? These young men when arrested are given every opportunity of immediate release. Only those who openly declare that it is their intention deliberately to defy the law are sent up for trial Even after conviction they are given every opportunity to reconsider their position It is not much that Government asks of them No undertaking to refrain from taking part in constitutional agitation is required. Merely an assurance

that if released they will not deliberately challenge lawful authority and defy the law. Is that much to ask? If such an assurance is given they are released. Does that sound like a policy of blind repression?

But do not fall into the error of supposing that all those who are arrested are students who have been misled. Of the persons arrested the day before yesterday 70 per cent. were mill hands. Nearly the whole of the persons arrested yesterday were men of the same class from different mill areas outside Calcutta. And what were they about? They have themselves confessed that they are paid to come and play the the part of "volunteers" in Calcutta, and so to court arrest. It would be difficult, surely, to discover a more callous example of the exploitation of labour for political ends. There is a good deal more that I could say with regard to the various complaints which have been made of the manner in which the policy of Government has been enforced—many of them, I would point out, based upon false statements and the wildest of wild rumour. But I have something else to say and my hon'ble colleagues will, if required, be able to deal further with this aspect of the situation in the debate which is about to take place.

I desire to conclude what I have to say on a somewhat different note. I have already said that if the circumstances which compelled Government to take action changed, it would be possible for Government to reconsider its attitude accordingly. Have we any grounds for supposing that a change in the circumstances is possible? You have no doubt seen a statement in the newspapers this morning to the effect that Pandit Madan Mohan Malaviya has submitted to His Excellency the Viceroy a request that he should receive a representative deputation which desires to lay before him a proposal for a conference to discuss the present situation. Well, I have been informed by His Excellency the Viceroy that he is communicating to Pandit Madan Mohan Malaviya his consent, and that he is naming Wednesday next, the 21st, as the date on which he will be glad to receive the deputation. It seems to me that this introduces a new factor into the situation. If we are to assume from this development that there is a genuine desire to find some means of bringing about an amelioration in the state of affairs with which we are confronted, we are justified in assuming that there must be a willingness to create such an atmosphere as will at least not wither this tender growth. I dare not call it more than in the bud. In other words I imagine that it would be generally agreed that a truce must be an essential preliminary to any conference. If, then, the responsible leaders of the non-co-operation movement were to come forward with definite assurances that this was a correct interpretation of the development to which I have referred, I should say that we were in sight of such a change in the circumstances which obliged Government to take action as would justify Government in reconsidering its position. But something more would obviously be necessary before Government could act. Words would have to be backed by deeds. If I was satisfied, not

only that there was a genuine desire to create an atmosphere favourable for a conference, but that the non-co-operators on their part were prepared to take definite action to bring about such an atmosphere, then I should be prepared to recommend to my Government that it, too, should take steps in consonance with the altered situation. The action which it is open to non-co-operators to take is quite plain to me. Nothing has so exacerbated feeling, nothing has been more responsible for the present tension than the attitude which they have taken up towards the visit of His Royal Highness the Prince of Wales. Nothing could be better calculated to relieve the present tension and so to contribute towards the atmosphere which it is desired to create than a change in that attitude. If, for example, the organised attempt to *boycott* the visit were abandoned; if the proposed *hartal* were called off; if everything was done to reassure the people by making it known to them that they were at complete liberty to accord His Royal Highness a loyal welcome, then we should be faced with a different situation and I should be prepared to recommend to my Government that so far as was compatible with public safety they should stay their hand. We have no desire to make large numbers of arrests under the provisions of the Criminal Law Amendment Act of 1908, and if the leaders of the non-co-operation movement were to issue orders to their supporters to cease going out into the streets to defy the law, the necessity for our doing so would obviously have disappeared. I would go further and say that if, with a view to paving the way for a possible conference, there was a determination on the part of the non-co-operation leaders to observe a truce in the fullest sense of the word, in other words to cease all hostile activity, I would be prepared to recommend to my Government that prosecutions which are pending under Part II of the Criminal Law Amendment Act of 1908 should be suspended and those charged with offences under this Act should be released. More than that I cannot say. So much would have to depend upon the genuine desire of those who lead the movement to bring all hostile activity to an end, and equally important, their ability to do so. That could only be proved by experience. But what I have said is a sufficient indication of the spirit in which I and my Government would be prepared to meet any such advance on the part of the non-co-operators as I have suggested might now be possible. And my last word must be an appeal to members of this Council to do all that lies in their power to assist in creating the necessary atmosphere. The Council itself offered to His Royal Highness a loyal and cordial welcome when it passed a resolution on the subject unanimously in September last. It now has it in its power to do much to secure for His Royal Highness the enthusiastic welcome which it avowedly desires. It would be foolish to be unduly sanguine as to the outcome of the deputation which His Excellency the Viceroy will receive on Wednesday next. There are immense difficulties to be overcome. But the matter of supreme importance at the moment is to secure an atmosphere of calm, and in

effecting this the Council can obviously play an incalculably important part. (Applause.)

His Excellency the Governor then left the Chamber, preceded by the Hon'ble the President.

The President then took the chair.

## Appointment of Panel of Chairmen.

**The PRESIDENT (the Hon'ble Nawab Sir Syed Shams-ul-Huda):** In accordance with rule 3 of the Bengal Legislative Council Rules, I have nominated the following members of the Council to form a panel of four Chairmen:—

Sir Asutosh Chaudhuri,
Mr. R. M. Watson-Smyth,
Rai Radha Charan Pal Bahadur, and
Maulvi Fazl-ul Haq.

Unless otherwise arranged, the senior member among them present in the above order will preside over the deliberations of this Council in my absence and in the absence of the Deputy-President.

## Starred Questions

## (to which oral answers were given).

### Medical School at Mymensingh.

*1. **Mr. S. M. BOSE:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is a fact that the District Board of Mymensingh has paid Rs. 27,000 to the Government for acquisition of land for the proposed medical school at Mymensingh?

(*b*) If so, what steps, if any, are the Government taking for the acquisition of the land and the construction of the school building?

**MINISTER in charge of DEPARTMENT of LOCAL SELF-GOVERNMENT (the Hon'ble Sir Surendra Nath Banerjea):** (*a*) The answer is in the affirmative.

(*b*) Government have issued orders for the acquisition of the land, but before taking further action, are awaiting the report of the Committee appointed to advise on the establishment of medical schools in this province.

### Medical school at Mymensingh.

*1h. **Mr. S. M. BOSE:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state what

progress, if any, has been made in the establishment of a medical school at Mymensingh?

(*b*) Will the Hon'ble the Minister be pleased to state whether it is a fact that the medical school committee appointed by the Government have, in their *ad-interim* report, recommended that immediate steps should be taken to establish the said medical school?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble the Minister be pleased to state what steps, if any, are being taken to carry out the recommendation?

(*d*) Are the Government considering the desirability of making a grant to enable the school buildings to be commenced without delay?

**The Hon'ble Sir SURENDRA NATH BANERJEA:** (*a*) A Committee has been appointed to advise Government on the question of establishment of medical schools, and the final report of the Committee is awaited.

(*b*), (*c*) and (*d*) The *ad-interim* report of the Committee recommends the establishment of this school, the present stage of the case is stated in the reply to another starred question on the same subject put by the member.

## Dacca University post-graduate classes.

***111. Babu KISHORI MOHAN CHAUDHURI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state whether the post-graduate classes under the Dacca University have now been formed?

(*b*) If so, (*c*) in what subjects; and (*d*) what is the numerical strength of these classes?

**MINISTER in charge of DEPARTMENT of EDUCATION (the Hon'ble Mr. P. C. Mitter):** (*a*) Yes.

(*b*) Post-graduate classes have been opened in the following subjects; the numerical strength is noted against each subject.

ARTS.

*Post-graduate Classes.*

| Subjects. | | Numerical strength |
|---|---|---|
| English | | 65 |
| History | | 19 |
| Philosophy | .. | 17 |
| Sanskrit | ... | 3 |
| Arabic | ... | 2 |
| Persian and Urdu | | 4 |
| Economics | ... | 7 |
| | Total | 117 |

SCIENCE.

*Post-graduate Classes.*

| | | |
|---|---|---|
| Chemistry | ... | 21 |
| Physics | ... | 8 |
| Mathematics | ... | 2 |
| | Total .. | 31 |

LAW.

| | | |
|---|---|---|
| Law | ... | 210 |

**Dacca University scholarships.**

***IV. Babu KISHORI MOHAN CHAUDHURI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state the number of scholarships and their values provided for in the Dacca University to be awarded to meritorious students on the results of various examinations of the University?

(*b*) How many of these are meant for

(*i*) the Intermediate examination in Arts,

(*ii*) the Intermediate examination in Science,

(*iii*) the examination for the degree of Bachelor of Arts,

(*iv*) the examination for the degree of Bachelor of Science?

(*c*) Are there any scholarships for girls exclusively?

(*d*) If so, how many and of what values?

(*e*) If not, why not?

(*f*) Are there any special scholarships for students of backward classes?

(*g*) If so, how many and of what values?

**The Hon'ble Mr. P. C. MITTER:** (*a*) Twelve post-graduate scholarships have been awarded during the present session to students who have passed the Calcutta University examinations. The regulations for scholarships for 1922-23 have not yet been decided on.

(*b*), (*c*), (*d*), (*e*), (*f*) and (*g*) No answer is possible at the present date.

**Alleged smoking in court by a trying Magistrate.**

***V. Kumar SHIB SHEKHARESWAR RAY:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether it is a fact that the Magistrate trying the cases against Mr. J. M. Sen Gupta and others in Chittagong, some time in October last, smoked in his court room during the hearing of the case?

(*b*) Do the Government contemplate taking any notice of the conduct of the officer concerned?

**MEMBER in charge of APPOINTMENT DEPARTMENT (the Hon'ble Sir Henry Wheeler):** (*a*) No. The Magistrate smoked in his

court room while engaged in other work during the suspension of the trial referred to and after the accused had left the court.

(*b*) No.

## Mr. Turner, Librarian of the Dacca University.

*VI. **Babu KISHORI MOHAN CHAUDHURI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Education be pleased to state what the appointment of Mr. F. C. Turner has cost the Dacca University per month?

(*b*) Will the Hon'ble the Minister be pleased also to state -

(*i*) the specific nature of his duties, and

(*ii*) the total number of hours of duties assigned to him per week up to the end of September last?

(*c*) Will the Hon'ble the Minister be pleased to state whether he is aware of the fact that the old Dacca College Library, even after its transfer to the University, has practically remained what it was before and that no improvement of the Library has been possible for want of funds?

(*d*) Was this Library formerly run by an officer belonging to a lower grade of the Provincial Educational Service?

(*e*) If so, will the Hon'ble the Minister be pleased to state why a highly paid officer of Mr. Turner's type has been appointed for running the Library?

**The Hon'ble Mr. P. C. MITTER:** (*a*) The cost per month has been Rs. 1,750, the pay of his double appointment.

(*b*) (*i*) He is Librarian of the Dacca University and Provost of the Dacca Hall.

(*ii*) Government have not this information, but he is a whole-time officer of the University.

(*c*) It is understood that the Library of the former Dacca College will be the nucleus of the University Library, the formation of which is a continued process. The want of funds has impeded this process which, however, has begun.

(*d*) The Librarian of the Dacca College was an officer of the Bengal Educational Service.

(*e*) The appointment was made by the Chancellor under the provisions of the University Act. Mr. Turner went through a special course of library organisation in preparation for his duties, as it was desirable that the University Librarian should be an experienced educationist and have a special knowledge of library matters. His pay was fixed in reference to the pay previously drawn by him as a member of the Indian Educational Service, being that pay less the allowance granted to College Principals, which he ceased to draw on entering the service of the University.

## Unstarred Questions

## (answers to which were laid on the table).

### Primary Education.

1. **Babu AMULYA DHONE ADDY:** Will the Hon'ble the Minister in charge of the Department of Education be pleased to state what steps are being taken by Government and the local authorities, respectively, for the encouragement of primary education in Bengal?

**The Hon'ble Mr. P. C. MITTER:** Government contributes annually to local bodies Rs. 15,23,000 and local bodies contribute Rs. 9,06,917 annually for primary education. In addition Government spends directly Rs. 3,08,000, partly in its capacity as zamindar, partly in non-board areas, and in other miscellaneous ways. The position is as follows:—

(*a*) Primary schools managed by district boards—Institutions, 2,909; Pupils, 1,19,119.

(*b*) Primary schools aided by district boards—Institutions, 31,974; Pupils, 10,42,859.

(*c*) Primary schools managed by municipalities—Institutions, 9; Pupils, 541.

In addition there are 111 guru-training schools and special training classes, maintained at an annual cost to Government of Rs. 2,79,370, and 4 other training institutions which receive small grants.

Annual capital expenditure by Government for construction of panchayati union primary schools and repairs to board schools is Rs. 2,00,000.

Government also employ 28 district deputy inspectors at an annual cost of Rs. 48,000, 47 additional deputy inspectors at an annual cost of Rs. 71,700, 216 sub-inspectors at an annual cost of Rs. 2,60,820, 21 assistant sub-inspectors at an anual cost of Rs. 96,000, and certain other inspecting officers at an annual cost of Rs. 8,000 for the inspection, stimulus, and control of primary education in the province. Local bodies employ 141 inspecting pandits and maulvis at an average annual cost of Rs. 35,000.

Much attention has been given to the expansion of primary education but financial difficulties have stood in the way. Mr. M. P. West, of the Indian educational service, was placed on special duty in 1917-18 to survey the situation as a preliminary to advance, and when changing circumstances necessitated a further survey, Mr. E. E. Biss of the same service was placed on special duty for a further report. His work is not completed, but his report has been published and laid on the table of this Council. Up to date 35 municipalities have had schemes worked out for a fairly comprehensive provision for boys of primary school-age according to the method described in paragraphs 6-8 of that report. The cases of the remaining municipalities are being considered. Government have

made an offer of half the capital and recurring cost, but only two municipalities have hitherto accepted the offer. Attempts are also being made to secure the establishment of schools in other ways: it would be premature to give details. Non-municipal local bodies are also contemplating proposals of the kind laid down in Chapter II of the report, and schools are being built in three union areas in the Khulna district.

The report has been widely circulated in English and in Bengali. Government have published a resolution on it asking for opinions and criticisms.

A scheme for the improvement of primary education in Calcutta has also been approved by both the Corporation and Government at a capital cost of Rs. 20,34,628 and an ultimate recurring cost of Rs. 4,24,897. The scheme which is spread over a period of five years provides for—

(*a*) the establishment of a training college for 100 teachers at a capital cost of Rs 2,68,197 and a recurring expenditure of Rs. 42,140;

(*b*) the building of 13 model boys' schools, each for 350 pupils and one model girls' school for 200 pupils. These involve a capital expenditure of Rs 17,66,431 and a recurring expenditure of Rs. 1,32,757; and

(*c*) the improvements annually of 5 per cent. of the existing schools (boys and girls) and the taking over and improvement of such new schools as spring up every year, anticipated number about 15 a year.

Of the estimated expenditure, both capital and recurring, Government have agreed—

(*a*) to meet the whole of the capital cost of the training college;

(*b*) to contribute Rs. 10,000 annually for three years only towards the recurring cost of the training college; and

(*c*) to provide for three quarters of the capital cost of the rest of the scheme, the balance being provided by the Corporation.

The Corporation have agreed to these conditions and to provide the rest of the cost and a grant of Rs 3,00,000 was sanctioned by Government during the year 1920-21.

**Radharaman upper primary girls' school at No. 20, Sreegopal Mullick Lane, Calcutta.**

**2. Babu HEM CHANDRA NASKER:** (*a*) Has the attention of the Hon'ble the Minister in charge of the Department of Education been drawn to the fact that the grant-in-aid to the Radharaman upper primary girls' school at No. 20, Sreegopal Mullick Lane, Calcutta, has been discontinued? If so, why?

(*b*) Is the Hon'ble the Minister aware that a grant-in-aid has been sanctioned to a Christian missionary girls' school in the same locality?

(*c*) Are the Government considering the desirability of continuing the grant-in-aid to the said Radharaman upper primary girls' school?

**The Hon'ble Mr. P. C. MITTER:** (*a*) Yes. In 1914-15, the school received Rs. 200 a year and, in 1915-16, Rs. 250 a year. Early in the latter year the grant was discontinued, owing to non-compliance with Departmental rules.

(*b*) Yes. The Baptist Zenana Mission School received a grant of Rs. 240 a year, which was subsequently raised to Rs. 290 in 1915-16.

(*c*) Funds permitting, a grant will be sanctioned next year, since there is now scope for two schools in this locality. This was not the case in 1915.

## Malaria and Cholera in Jessore.

**3. Maulvi RAFI UDDIN AHMED:** (*a*) Is the Hon'ble the Minister in charge of the Department of Local Self-Government aware that the population of the district of Jessore is dwindling owing to the prevalence of malaria and cholera?

(*b*) Are the Government considering the desirability of taking any special steps for the prevention of these diseases in the said district?

**The Hon'ble Sir SURENDRA NATH BANERJEA:** (*a*) The answer is in the affirmative. A statistical statement is laid on the table.

(*b*) The district board has recently, on the invitation of Government, submitted proposals for improving the water-supply and for undertaking anti-malarial operations. These proposals are now under consideration.

*Statement referred to in the reply to clause (a) of unstarred question No. 3, showing the number of "Malaria cases" and "total cases" treated in the several dispensaries in Jessore district, during 1916, 1917, 1918, 1919 and 1920.*

| Years. | Total cases treated | Malaria cases treated | Ratio per cent of malaria cases to total cases. |
|---|---|---|---|
| 1916 ... ... | 127,400 | 49 822 | 39 1 |
| 1917 ... ... | 140,069 | 54 210 | 38,7 |
| 1918 ... ... | 155,473 | 65,381 | 42 05 |
| 1919 ... ... | 155,505 | 60,981 | 39 2 |
| 1920 ... ... | 146,193 | 75,769 | 51·8 |

*Statement referred to in the reply to clause (a) of question No. 3, showing the number of births and deaths with their respective rates per thousand of population, as well as the mortality from fever and cholera, in the district of Jessore for the previous five years (1916 to 1920).*

| Year. | Population according to Census of 1911 | Births. | | Deaths. | | Excess of births over deaths. | | Excess of deaths over births. | | Fever. | | Cholera. | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | Number. | Rates. | Number. | Rates. | Number. | Rates. | Number. | Rates. | Number. | Rates. | Number. | Rates. |
| 1916 | ... | 1,785,264 | 49,536 | 27·6 | 58,274 | 32·3 | .. | ... | 8,741 | 4·7 | 44,204 | 24·7 | 5,454 | 3·1 |
| 1917 | ... | ... | 38,858 | 22·0 | 41,275 | 23·6 | 17·34 | 2·9 | .. | ... | 31,472 | 18·6 | 1,989 | 1·1 |
| 1918 | ... | ... | 43,782 | 24·7 | 52,722 | 29·9 | .. | ... | 8,971 | 5·10 | 43,933 | 24·9 | 2,572 | 1·5 |
| 1919 | ... | ... | 34,449 | 19·4 | 83,164 | 46·8 | .. | ... | 48,759 | 27·2 | 44,944 | 25·6 | 3,215 | 1·8 |
| 1920 | ... | ... | 37,826 | 21·4 | 49,742 | 28·3 | ... | ... | 13,116 | 7·9 | 43,267 | 24·2 | 1,817 | 1·0 |

* [illegible] for these years

**Discharge of teachers of certain guru training schools.**

**4. Maulvi YAKUINUDDIN AHMED:** (*a*) Is the Hon'ble the Minister in charge of the Department of Education aware that some teachers of the guru training schools were removed from their service in July of last year through no fault of their own, and that they have been out of employment up to this date?

(*b*) Have they been given hopes that they will get employment in the schools of district boards and municipalities?

(*c*) How many such teachers are out of employment?

(*d*) What are their denominations?

(*e*) Is the Department going to re-employ them again in the near future?

**The Hon'ble Mr. P. C. MITTER:** (*a*) Yes; owing to the establishment of 16 guru training schools of the improved type in the Presidency some teachers who were not considered sufficiently qualified lost their posts.

(*b*) Yes; the Inspectors have arranged in most cases to find them employment in schools managed or aided by district or municipal boards.

(*c*) Four teachers are at present out of employment. They were offered posts but refused to accept them.

(*d*) These four teachers held the following posts:

1. 2nd teacher, Dinajpur Guru Training School.
2. 2nd teacher, Thakurgaon Guru Training School.
3. 2nd teacher, Malda Guru Training School.
4. 2nd pandit, Feni Moallim Training School.

(*e*) Their re-employment in Government schools is difficult owing to their low qualifications. All who lost their posts have been placed in non-Government posts except one who died, and four who refused to accept the posts open to them.

**Burthi "bil."**

**5. Rai HARENDRANATH CHAUDHURI:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state what area is covered by the Burthi *bil* in the subdivision of Barrackpore?

(*b*) Is the Hon'ble the Minister aware that the water-logged condition of the Burthi *bil* injuriously affects the health of the surrounding rural people?

(*c*) Will the Hon'ble the Minister be pleased to state why no scheme has as yet been prepared to drain away the said *bil*?

(*d*) Are the Government considering the desirability of preparing a scheme for draining the said *bil* at an early date?

**The Hon'ble Sir SURENDRA NATH BANERJEA:** (*a*) The area of the Burthi *bil* is 10 square miles.

(*b*) Yes.

(*c*) Works for draining the *bil* have already been taken up along with those for the Nowi and Sunthi rivers and the Ichapore *khal*.

(*d*) The question does not arise.

**Social relations between European and Indian officials.**

**6. Rai JOGENDRA CHUNDER GHOSE Bahadur:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state whether it is a fact that European district judges and magistrates do not generally return the calls of Indian additional district judges and magistrates?

(*b*) Will the Hon'ble the Member be pleased to state whether it is a fact that munsifs and deputy magistrates are very often made to stand outside and wait sometimes for more than an hour before they are admitted to the interview and, when they are so admitted, are sometimes not offered chairs to sit on?

**The Hon'ble Sir HENRY WHEELER:** (*a*) and (*b*) It is impossible to answer a question in this general form.

**Selection of village Shilmori as the polling centre for election to local board from Chandiana thana in Tippera.**

**7. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self Government be pleased to state whether it is a fact

(i) that in the Chandiana police-station in the district of Tippera, the centre for the election of the members of the local board was located in the first year at the headquarters and in the next year at the headquarters and Baruta Bazar,

(ii) that a gentleman of the Shilmori village had been a candidate for election all those years and this year too, and

(iii) that this year the centre was located at his village Shilmori and that only two candidates went there for election?

(*b*) Will the Hon'ble the Minister be pleased to state whether it is a fact that the village of Shilmori is situated at the eastern extremity of the jurisdiction of the Chandiana thana?

(*c*) If the answer to (*b*) is in the affirmative, will the Hon'ble the Minister be pleased to state the reasons for which Shilmori was selected as the election centre this year in preference to the headquarters of the thana and Baruta Bazar?

**The Hon'ble Sir SURENDRA NATH BANERJEA**: (*a*) (*i*) and (*ii*) Yes.

(*iii*) There were seven candidates; it is not now known how many attended the poll.

(*b*) It lies at the south-eastern end of the thana.

(*c*) The District Magistrate reports that Shilmori was selected as the polling centre this year for the following reasons:—

(*i*) There was an apprehension of a disturbance at the polling if it were held at Chandiana or Barura Bazar.

(*ii*) Chandiana is at the northern extremity of the thana and Barura Bazar almost 4 miles north-west from Shilmori. The selection of the northern and the western parts of the thana had therefore an advantage at the preceding election. In selecting Shilmori, some weight was assigned to the representation by a number of people of the southern and eastern parts.

### Bhowal Estate—Oppression of tenants.

**8. SHAH SYED EMDADUL HAQ:** (*a*) Is the Hon'ble the Member in charge of the Department of Revenue (Land Revenue), aware of a feeling that is prevalent that the people under the Sripur Ward estate in the Bhowal pargana in the district of Dacca are being oppressed by the officers of the Estate?

(*b*) Will the Hon'ble the Member be pleased to state whether it is a fact that an application was sent to the Collector by the Keoa Raiyat Samiti about the above alleged oppression?

(*c*) Was the application sent to the local officer by the Collector?

(*d*) Will the Hon'ble the Member be pleased to state whether it is a fact that the same officer, after having received the application, assaulted and insulted Nazim Ali, the Joint Secretary of the samiti, by beating him and pulling him by the beard and tearing it?

(*e*) If the fact is as stated in (*d*), will the Hon'ble the Member be pleased to state whether the Government are considering the desirability of making inquiries to prevent a recurrence?

**MEMBER in charge of DEPARTMENT of REVENUE (LAND REVENUE) (the Hon'ble the Maharajadhiraja Bahadur of Burdwan):** (*a*), (*b*), (*c*), (*d*) and (*e*) No information has been received by Government nor by the Board of Revenue, but inquiries are being made

### Facilities to Muhammadan employees to say their "Juma" prayers.

**9. SHAH SYED EMDADUL HAQ:** (*a*) Will the Hon'ble the Member in charge of the Appointment Department be pleased to state why effect has not yet been given to my resolution passed in the April

session of the Council to enable Muhammadans to say their *Juma* prayers?

(*b*) Will the Hon'ble the Member be pleased to state whether effect to the resolution cannot be given in civil courts without the approval of the Hon'ble the High Court?

(*c*) If so, what is the reason for not giving effect to other judicial and criminal courts, where such approval is not necessary?

**The Hon'ble Sir HENRY WHEELER:** (*a*) Copy of a circular letter sent to all Commissioners of Divisions and District and Sessions Judges is laid on the table. The High Court has also been addressed.

(*b*) No.

(*c*) The question does not arise.

*Copy of the circular letter referred to in the reply to clause (a) of unstarred question No. 9.*

Nos. 3186-3211A., dated Calcutta, the 21st April, 1921

From—B. M. STAIG, Esq., I.C.S., Offg. Under Secretary to the Government of Bengal, Appointment Department

To—(1) All Commissioners of Divisions and (2) all District and Sessions Judges

I am directed to invite your attention to this Government circular letter No. 5746 P., dated the 21st November, 1912 *[a copy of which is enclosed], on the subject of the grant of leave on Fridays to Muhammadan employees of Government to enable them to say their *Juma* prayers and to say that the condition imposed in the last sentence of paragraph 2 thereof which runs as follows

"on the understanding that they make up the time by working extra hours during the week, if necessary," should be treated as cancelled

I am to request that these orders may be communicated to

*[all District and Subdivisional Officers in your division]

†[all officers subordinate to you]

*Circular letter referred to above.*

No. 5746 P., dated Calcutta, the 21st November, 1912.

From—The Hon'ble Mr. C. J. STEVENSON-MOORE, I.C.S., Chief Secretary to the Government of Bengal,

To—All Commissioners of Divisions.

The question whether it is necessary to allow leave for an hour or two on Fridays to Muhammadan employees of Government to enable them to say their *Juma* prayers has recently been under the consideration of Government, and I am directed to communicate to you the following orders on the subject

* [ ] for (2) only.
† [ ] for (1) only.
‡ [ ] for (2) only.

2. The Governor in Council is of opinion that no hard and fast rule need be laid down, as the conditions prevailing in different parts of the Presidency vary, and any general direction may interfere with the satisfactory working of the machinery of Government. At the same time it is desirable that reasonable facilities should be granted to all communities to perform their religious duties, and His Excellency in Council is accordingly pleased to direct that permission should be given on Fridays to such Muhammadan employees of Government as ask for it to say their *Juma* prayers on the understanding that they make up the time by working extra hours during the week if necessary.

3. I am to request that these orders may be communicated to all District and Subdivisional Officers in your division.

## Cross "bund" across the river Bamanidaha at 116th mile-post of the Eastern Bengal Railway main line from Sealdah.

**10. Babu SURENDRA NATH MALLIK:** (*a*) Is the Hon'ble the Minister in charge of the Department of Public Works aware that for over 20 years the river Bamanidaha, within the jurisdiction of thana Bhairamara in the Kushtia subdivision in the district of Nadia, has been closed up by the Eastern Bengal Railway authorities by throwing a *bund* (cross-dam) across the river at the 116th mile-post of the Eastern Bengal Railway main line from Calcutta?

(*b*) Is it a fact (*i*) that the villages of Khemardiar, Damukdia, Bhairamara, Farakpur, Marshapur, Dharampur, Ramchandrapur, Chandipur, Birtipara and others have been affected by the said *bund* and that the *bund* has stopped the free passage of water of the said river, and (*ii*) that these villages have been rendered in consequence subject to attacks of malaria, cholera, and other epidemic diseases?

(*c*) Is it a fact that the Deputy Sanitary Commissioner has, after an examination, found the water of the said river to be unfit for human consumption and a source of danger to the health of the said villages?

(*d*) Is it a fact that for over 20 years the people of the said villages have been trying for the removal of the said *bund* and for the construction of a bridge across the river there?

(*e*) Will the Hon'ble the Minister be pleased to state what steps (if any) have been taken by Government in this matter?

(*f*) Is it a fact that the stopping of the free passage of water by the said *bund* has affected the fertility of the soil in that locality?

(*g*) Will the Hon'ble the Minister be pleased to state the policy of the Government with regard to interferences by the Railway authorities with the free flow of river and public drainage in the country?

**MINISTER in charge of DEPARTMENT of PUBLIC WORKS (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri, Khan Bahadur):** (*a*) Yes; inquiry shows that it was at the request of the people of the locality whose crops were damaged by the flood of the river Padma.

(*b*) (*i*) Yes.

(*ii*) Subject to malaria only; there is no information about cholera and other epidemic diseases.

(*c*) Yes.

(*d*) Yes.

(*e*) Government have addressed the Agent, Eastern Bengal Railway, asking him to provide suitable openings.

(*f*) Yes.

(*g*) The local Government are fully in favour of providing sufficient drainage but they have no powers to force the Railway authorities to provide additional waterways, *vide* section 11 (3) (*b*) of the Indian Railways Act, 1890 (IX of 1890). In the particular case in question the Railway authorities appear to have closed the river at the request of the villagers who are now complaining.

## Kanchrapara Railway Workshop—Indian and Anglo-Indian apprentices.

**11. Rai RADHA CHARAN PAL Bahadur:** (*a*) Will the Hon'ble the Minister in charge of the Department of Agriculture and Industries be pleased to state separately the number of first class Indian and Anglo-Indian apprentices now under training at the Kanchrapara Railway Workshop?

(*b*) Will the Hon'ble the Minister be pleased to state how admission of applicants into the Workshop is made? Is it made by competitive examination or otherwise? Is the test of competitive examination, if any, applicable both to the Anglo-Indians and the Indians equally, or to the Indians only?

(*c*) Will the Hon'ble the Minister be pleased to state—

(*i*) the number of applicants for admission in the year 1920;

(*ii*) how many of them were examined for the purpose, if examined at all, and

(*iii*) how many were taken in?

(*d*) Is it a fact that a number of candidates have been admitted for the year 1921, chiefly through nomination?

(*e*) Has the attention of the Hon'ble the Minister been drawn to the resolution of the Government of India in the Railway Department, No. 2121E—19, dated Simla, the 28th April, 1920, on the question of training apprentices in the Railway Workshop?

(*f*) If the answer to (*e*) is in the affirmative, what steps have the Government taken, or do the Government propose to take, to give effect to the suggestions contained therein?

(*g*) Is the Hon'ble the Minister aware of the fact that no adequate provision in staff and equipment has hitherto been made for the theoretical instruction of the apprentices at the Kanchrapara Workshop?

(*h*) Will the Hon'ble the Minister be pleased to state the scale of monthly stipends granted to the Anglo-Indian and the Indian apprentices respectively?

(*i*) If the scale of monthly stipends granted to the Anglo-Indian apprentices is higher than that granted to Indian apprentices, will the Hon'ble the Minister be pleased to state the reason for this differentiation?

(*j*) In regard to the recommendation of Sir R. N. Mukerjea's Committee that "the condition of apprenticeship should be so revised so that all apprentices whether Indians or Anglo-Indians are under precisely the same conditions," will the Hon'ble the Minister be pleased to state what steps, if any, are proposed to be taken to give effect to the said recommendation?

(*k*) Is the Hon'ble the Minister aware that the Indian apprentices submitted a representation to the Locomotive Superintendent for pay on all Workshop holidays as granted to the Anglo-Indians?

(*l*) If the answer to (*k*) is in the affirmative, will the Hon'ble the Minister be pleased to lay on the table a copy of the reply that was given to the said representation?

**MINISTER in charge of DEPARTMENT of AGRICULTURE AND INDUSTRIES (the Hon'ble the Nawab Saiyid Nawab Ali Chaudhuri Khan Bahadur):** (*a*) the number of first class Indian apprentices is 40 and that of Anglo-Indian is 20.

(*b*) The system of competitive examination is strictly applied in the case of Anglo-Indian apprentices. In the case of Indian apprentices some are appointed by competitive examination and some by selection. The Agent of the Eastern Bengal Railway has informed the Government that in future all appointments of apprentices will be strictly made from those who have passed the qualifying examinations to be held by the Board of Control for Apprenticeship training.

(*c*) (*i*) Anglo-Indians, 8; Indians, 72.

(*ii*) Anglo-Indians, 8; Indians, 50.

(*iii*) Anglo-Indians, 3; Indian, 1.

(*d*) The member is referred to the answer to clause (*b*) above.

(*e*) Yes.

(*f*) The member is referred to the answer given on the 21st November last to unstarred question No. 60.

(*g*) Yes.

(*h*) Scale of monthly stipends is as follows.

*For Anglo-Indian Apprentices.*

| | Per mensem |
|---|---|
| 1st year | Rs. 50 |
| 2nd year | Rs. 60 |
| 3rd year | Rs. 70 |
| 4th year | Rs. 80 |
| 5th year | Rs. 100 |
| 6th year | Rs. 120 |

*For Indian 1st class Apprentices.*

| | | | | |
|---|---|---|---|---|
| 1st year | ... | ... | .. | Rs. 22 |
| 2nd year | .. | ... | ... | Rs. 26 |
| 3rd year | ... | ... | ... | Rs. 30 |
| 4th year | .. | .. | . | Rs. 34 |
| 5th year | .. | ... | ... | Rs. 38 |

(*i*) and (*j*) The conditions under which the apprentices serve are entirely a matter for the Government of India, and this Government are not in a position to give any information on the subject.

(*k*) Yes.

(*l*) A reply was sent to the effect that the only holidays that are not paid for are local holidays specially asked for by the Indian staff and that the applicants know the terms under which they are employed. These apprentices are paid for Sundays and holidays, and have the additional advantage of 15 days on full pay and 10 days on half pay. A recommendation is now under consideration to increase the number of days on full pay to 30 so as to bring them in line with Anglo-Indian apprentices.

**Improvement of communications in the Baikunthapur Estate**

**12. Mr. PRASANNA DEB RAIKAT:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state what action, if any, has been taken with regard to the petition addressed by Babu Bipulendra Nath Banerjee, Member, District Board, Jalpaiguri, to His Excellency the Governor, dated the 15th December, 1920, and also what steps, if any, have been taken with regard to the following points raised in his letter addressed to the Chairman of the District Board, dated the 28th November, 1920, a copy of which was forwarded to His Excellency along with the said petition, namely:—

(*i*) regarding the roads in the Baikunthapur Estate excluded from the District Board Schedule in areas where the people have no roads; and

(*ii*) regarding the bridging up of the gaps in the few roads now maintained by the District Board in the Baikunthapur Estate?

(*b*) Will the Hon'ble the Minister be pleased to state what roads in the Baikunthapur Estate have been excluded, either partly or wholly, from the District Board Schedule or temporarily abandoned between the years 1895 and 1920 and what inquiries, if any, were made for the exclusion of these roads, and whether any new roads have been provided in the locality by the district board?

(*c*) Will the Hon'ble the Minister be pleased to state whether it is intended to introduce the elective system in the Jalpaiguri district soon, and if not, whether representation of the cess-paying bodies will be increased by nominations made on the *recommendations made by such bodies (vide* the petition to His Excellency) at the time of the next nominations?

(*d*) Is it a fact that the major portion of the District Fund in past years was spent for works in the Government Estate?

(*e*) Is it also a fact that the Government have, during the last few years, spent about Rs. 30,60,000 of the provincial revenues in opening out roads in the Government Estate portion of the district?

**The Hon'ble Sir SURENDRA NATH BANERJEA:** (*a*) The representation was forwarded to the Commissioner of the Rajshahi Division for disposal.

(*b*) (*i*) No action has been taken yet.

(*ii*) There are three unbridged roads in the Baikunthapur Estate, of which the Jalpaiguri-Siliguri Road and the Shikarpur Rangdhamali Road are not important enough to justify the expenditure required. The other, *viz.*, the Rajganj-Sepaipara Road, has recently been improved and in this year's budget estimate provision was made for the construction of two bridges, but owing to the necessity of repairing existing roads and bridges damaged by the floods in July last the work had to be postponed.

(*b*) The following roads have been abandoned.

(*i*) A fair weather track from Rangdhamali on the edge of the Baikunthapur forest to Fulbari Ghat within the forest. This road has been washed away by the Teesta in places and had little traffic.

(*ii*) A road through the forest joining the above road at Katalguri. It has been abandoned as it was not sufficiently important to justify the expenditure required in maintaining it.

(*iii*) A cart track east of, and parallel to, the Eastern Bengal Railway line between Nayahat and Shikarpur. It was unnecessary and unimportant.

The district board was satisfied that it was not to the interests of the district as a whole, to spend money on these roads.

No new roads have been opened in the locality of these roads.

(*c*) The member is referred to the answer given to clause (*c*) of starred question No. VII asked by Babu Kishori Mohan Chaudhuri at the Council meeting of the 14th March, 1921.

(*d*) The member is referred to the answer given to starred question No. XXIV, clauses (*c*) and (*d*), asked by Babu Kishori Mohan Chaudhuri at the Council meeting of the 1st April, 1921.

(*e*) The cost of opening out roads in the Government Estate portion of the district during the last five years amounted to about Rs. 17,00,000.

### Anglo-Indians in the Calcutta Fire Brigade.

**13. Mr. H. BARTON:** (*a*) Will the Hon'ble the Minister in charge of the Department of Local Self-Government be pleased to state whether it is the intention to eliminate Anglo-Indians gradually from the Calcutta Fire Brigade?

(*b*) Will the Hon'ble the Minister be pleased to state whether it is a fact that the services of two qualified Anglo-Indian lads who had been in the service in the Fire Brigade for several years, were dispensed with on the grounds of "reduction of staff"?

(*c*) If so, will the Hon'ble the Minister be pleased to state the reasons why two Europeans, not so qualified, were almost immediately appointed to fill their places?

(*d*) Is the Hon'ble the Minister aware that the two Europeans so appointed are relatives of the Station Officer of the Fire Brigade station?

(*e*) If the facts are as stated above, what steps, if any, are the Government contemplating taking in the matter?

**The Hon'ble Sir SURENDRA NATH BANERJEA:** (*a*) No. No competent Anglo-Indian is refused employment when there are vacancies in the Brigade.

(*b*) The services of two Anglo-Indians were dispensed with on the grounds stated, after comparatively short terms of service. They were not suitable for Fire Brigade work and two men had to go as two senior men were returning from leave.

(*c*) Two Europeans were not almost immediately appointed to fill their places as the dismissals did not create vacancies. One vacancy occurred a considerable time after the notices referred to were given owing to one man absconding. This vacancy was filled by an ex-soldier.

(*d*) The ex-soldier referred to has no relation in the Fire Brigade.

(*e*) This does not arise.

### Vernacular newspaper "Swaraj."

**14. Babu HEM CHANDRA BHATTACHARJI:** (*a*) Will the Hon'ble the Member in charge of the Political Department be pleased to state whether the Government subscribe to the vernacular newspaper *Swaraj*?

(*b*) If so, how many copies are subscribed for?

(*c*) Will the Hon'ble the Member be pleased to state whether the said newspaper is subsidised by the Government?

(*d*) If so, what is the amount of the subsidy?

**MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Henry Wheeler):** (*a*) and (*c*) No.

(*b*) and (*d*) These questions do not arise.

## Munsifs.

**15. Rai PYARI LAL DOSS Bahadur:** (*a*) Will the Hon'ble the Member in charge of the Judicial Department be pleased to state whether any new rules regarding age-limit and recruitment for the Bengal Judicial Service have been framed?

(*b*) If so, will the Hon'ble the Member be pleased to lay the same on the table?

(*c*) Will the Hon'ble the Member be pleased to state whether candidates already enrolled by the Hon'ble the High Court as eligible for appointment as Munsif, but now over 27 years, will be eligible for appointment under the new system?

(*d*) Will the Hon'ble the Member be pleased to state whether any calculations have been made to ascertain the necessity or otherwise of more appointments as Munsif on account of the last increase in the cadre?

(*e*) If calculations have been made, will the Hon'ble the Member be pleased to state the result of such calculations?

(*f*) Is the Hon'ble the Member aware that a few enrolled candidates were nominated and recommended to the Government by the Hon'ble the High Court for appointment as Munsif more than a year ago?

(*g*) Will the Hon'ble the Member be pleased to state how many (if any) of the candidates referred to in (*f*) have exceeded the age-limit of 29 years by this time?

(*h*) Are the Government considering the desirability of appointing those amongst the nominated candidates referred to in question (*f*), who have not yet exceeded the age-limit of 29 years before they exceed that age?

**MEMBER in charge of JUDICIAL DEPARTMENT (the Hon'ble Sir Abd-ur-Rahim):** (*a*) and (*b*) New rules have not been framed yet.

(*c*) The question does not arise.

(*d*) Yes.

(*e*) Fifty-one additional permanent appointments will be necessary.

(*f*), (*g*) and (*h*) Government are not in a position to make any statement.

**Transfer of union No. 13 from one thana to another in Jessore.**

**16. Babu NALINI NATH ROY:** (*a*) Will the Hon'ble the Member in charge of the Police Department be pleased to state the reason for the transfer of union No. 13 from Narail thana to Kalia thana in the district of Jessore?

(*b*) Is the Hon'ble the Member aware that this transfer has caused dissatisfaction in the said union?

(*c*) Is the Hon'ble the Member aware that union No. 13 is nearer to Narail thana than to Kalia thana and that the communication between union No. 13 and Kalia thana is bad as the route to Kalia is *via* Narail which is one and half hour's journey, whereas the journey to Kalia from the union is one of 14 hours?

(*d*) Are the Government considering the desirability of restoring the previous state of things?

**MEMBER in charge of POLICE DEPARTMENT (the Hon'ble Sir Henry Wheeler):** (*a*) Owing to the silting up of the Mara Chitra river, Kalia police-station is now more accessible to union No. 13 on the whole than Narail police-station.

(*b*) The inhabitants of certain villages who prefer Narail to Kalia have objected to the transfer. But the convenience of the union as a whole has to be considered.

(*c*) The northern half of union No. 13 is almost equidistant from Narail and Kalia. But the southern half of it is nearer to Kalia than Narail, and the communication between the union and Kalia is easier except for five or six weeks in the months of October and November.

(*d*) No.

**Transfer of union No. 13 from one thana to another in Jessore.**

**17. Babu NALINI NATH ROY:** (*a*) In continuation of the answer to be given to my unstarred question No. 16, will the Hon'ble the Member in charge of the Police Department be pleased to state whether it is a fact that union No. 13 of the Narail thana in the district of Jessore is situated almost entirely on the river side where the daily steamer service is running?

(*b*) Is it not a fact that the subdivisional officer of Narail, has not been consulted as to the transfer of union No. 13?

(*c*) Are the Government considering the desirability of consulting him in this matter?

(*d*) Is the Hon'ble the Member aware that owing to the silting up of the Mara Chitra communication with Kalia is difficult but not with Narail?

(*e*) Will the Hon'ble the Member be pleased to state whether it is a fact that no police cases have been reported to the Kalia thana from union No. 13 since the transfer of the union?

(*f*) Is the Hon'ble the Member aware that a number of petty cases have occurred in union No. 13 since the transfer?

**The Hon'ble Sir HENRY WHEELER:** (*a*) Union No. 13 lies on the eastern side of the Chitra river along which there is a daily steamer service. Some villages are situated on the river bank; others are 4 miles from it.

(*b*) The subdivisional officer was not consulted. The facts were known to the district officials.

(*c*) No.

(*d*) The member is referred to the answers given to parts (*a*) and (*c*) of question No. 16 asked at this meeting.

(*e*) No, it is not a fact.

(*f*) No.

*With reference to the reply given by the Hon'ble Sir* HENRY WHEELER *to unstarred question No. 80, asked by* RAI MAHENDRA CHANDRA MITRA *Bahadur at the meeting of the Legislative Council held on the 29th August, 1921, the result of the inquiry is laid on the table.*

## Murder of a boy of Dalia (Mymensingh).

It was reported that the boy was murdered at night in his bed where he was lying with his grandmother, who, it is alleged, recognised three men. The mother was in another hut and did not recognise any one. That night the grandmother informed the landlords of the murder. Some say she named the murderers at the time but others state that she named none. The police after investigation submitted a charge sheet against two persons who were committed to the Court of Sessions for trial under section 302, Indian Penal Code. The jury unanimously found both the accused not guilty of the charges, and the Judge, agreeing with the jury, acquitted them on the 22nd November, 1921.

## Motion for adjournment.

**Babu SURENDRA NATH MALLIK:** I beg with your leave to move the adjournment of the business of the Council to consider a motion of urgent public importance, namely, the application of the Indian Criminal Law Amendment Act and the Prevention of Seditious Meetings Act to the province and the grave unrest caused thereby.

**The PRESIDENT:** Is there any objection?

(No objection was taken.)

**The PRESIDENT:** As there is no objection and as there is no other business before the Council, I call upon Babu Surendra Nath Mallik to move his motion at once.

**Babu SURENDRA NATH MALLIK:** It is with the deepest and most sincere regret that I am obliged to move this motion for the adjournment of the House to consider the most important and urgent question of the day, *viz.*, the present political situation of the country. It is no doubt most disagreeable to us all, to consider this question of cruel and systematic repression that has been recently inaugurated by the Government at the fag-end of the administrative career of a Governor who since the very beginning has been commanding the admiration of all sections of the community as a just, sympathetic and tactful ruler. It is a thousand pities that when there are only three months left for the final consummation of an up to now glorious career which the people of this province would have long cherished with love and regard, there would have been this most unfortunate introduction of a retrograde policy which is sure to put into the shade all that was good and great in that administration.

The situation that has been brought about by this repressive policy is now more than grave—it is indeed acute. The whole province is in a state of terrorism. Special laws of high potency in repressing people have been promulgated—the ordinary rights of citizens to hold meetings to discuss public matters have been suspended and other crude weapons of coercion have been put into use for the purpose of commanding the love and affection of the people and to compel their co-operation. The methods of putting into execution these repressive measures have taken away the breath even from the most peaceful and law-abiding of citizens. Anybody who knows anything about the administrative machinery and its parts in the country can have little doubt in his mind that the employment of these harsh and cruel measures and method, is the work of our sworn opponents, *viz.*, the bureaucracy and the Civil Service. Repression has taken such a cruel shape that though I am not in the secrets of the Government I have every reason to believe that the Indian element in the Government has not been consulted by the bureaucracy in such a vital matter—thus violating the spirit of the new Reforms. Otherwise, it is inconceivable that such measures could have been resorted to.

Looking now to the measures introduced, it is a matter of the deepest disappointment that just at a time when the country has been striving to get the fetters of the Repressive Laws removed, the Government have thought it fit to promulgate them with a vengeance. The question naturally arises whether there is any justification for their introduction. The Seditious Meetings Act and the Criminal Law Amendment Act are measures which by no stretch of imagination could be applicable to a situation like the present. There is hardly any right-thinking man in the country who for a moment can question the necessity on the part of the Government of maintaining law and order, and, while the people of the country are in no way less interested than the Government, in having peace and protection secured, there can be no doubt that there is no occasion for holding that the ordinary laws of the country were in any

way inadequate to meet the exigencies of the situation. There can also be no doubt that the Government would have secured the support and sympathy of every honest citizen if they wanted to punish those who had actually broken the law by doing acts of violence and intimidation.

But if, on the apparent reason of bringing such cases within the clutches of law, extraordinary repressive measures of unusual potency are brought out from the armoury of the Government and hopelessly drastic methods are employed in enforcing them in such a way as to terrorise the whole community, to gag the general public and to demoralise the Indian press, then it no longer becomes possible for a people's man in the Council to refrain from entering his most emphatic protest. On such an occasion it will clearly be his duty to speak out his conviction in no diffident notes or hesitating language.

It is the deliberate opinion of the people that the measures adopted by the Government are out of all proportions to the necessities of the situation. It is like bringing in a broom and a barrow when a flick with a handkerchief would have been sufficient. A general deprivation of the fundamental and cherished rights of citizens can be justified or explained only by the astounding assumption of widespread disloyalty and lawlessness among the community as a whole. If that is alleged by the Government as the justification for the introduction of these coercive measures then it is tantamount to an indictment of the whole nation—a libel upon the whole community—which only requires to be stated for the purpose of being refuted. Such a charge of lawlessness upon the whole community is perhaps the best possible evidence to support an indictment of the administration itself.

Coming now to the methods applied for carrying out the repressive laws. I must confess that our disapproval here cannot but take the shape of the utmost possible condemnation. Unprovoked assaults, unjustifiable insults, indiscriminate arrests are the outstanding features of this period of oppression which have produced results the opposite of which they are intended to create. Still more objectionable have been the trials *in camera* and even in jail and the harsh sentences out of all proportion to the gravity of the offence of the age of the offender. It is again deeply to be regretted that persons even after their arrest have been subjected to unnecessary harshness and cowardly assault. These things have unhinged the public mind, have aggravated the situation, and have laid Government open to the charge of vindictiveness in their doings.

On the top of these, the wantonly mischievous activities of the military and the intolerable aggressiveness of the police have put the severest strain upon the loyalty of the most devoted Moderate and have made him look aghast. Whatever Government *communiqués* may say, I have the evidence of my own eyes which I cannot disbelieve. I have seen the military charging, insulting and assaulting innocent passers-by in the streets with an exuberance of animalism, characteristic of their profession, intensified by the hauteur of their supposed racial and certain physical

superiority. Even respectable persons, regarding whom there could be possibly no honest mistake, were not saved from humiliation and assault at the hands of the police and the military. It has been said that the story of Chiraranjan Das has been contradicted by the sergeants. Who is Chiraranjan Das? He is, on the Government's own showing, a young man who has chosen for himself the hardships of the jail, and why that? Because of his noble impulse, though it may be mistaken? Is he likely to tell a falsehood about a simple assault by a constable or so? Is anybody in his senses prepared to believe that? In spite of 20 *communiqués* that might be written or 50 reports that might be made by any member of the police, however high their position might be, it is absurd on the very face of it. I would sooner believe that had than 50 sergeants, or Deputy Commissioners or Commissioners or even an officer of the Police Department higher than that. It is a great pity that all this has been done despite the grave warning uttered in this Council a few weeks back against giving an unbridled license to the police and the protector. And then, to crown all, the Government, with a regrettable lack of sense of propriety, brought out machine-guns and armoured cars in different parts of the city to reduce the people to a state of abject terror. The sense of ridiculousness ought to have prevented them from doing any such thing. Sir, one thing has been referred to by His Excellency. I do not know whether it is permissible for me to allude to it. It has been said that there were found a large number of weapons in a house. Well, only one version of the case has reached the high officers.

**The PRESIDENT:** I do not think that you are entitled to discuss the speech of His Excellency.

**Babu SURENDRA NATH MALLIK:** I bow to your decision. The result of all these acts has been just the reverse of what they were intended to create. The effect of these acts of repression and coercion has been the strenghtening of the very movement which the Government was out to crush. They are bound to recoil back upon the administration with terrible force and have reacted on the whole situation most unfavourably. These harsh and arbitrary measures have unfortunately fostered the very spirit of defiance of constituted authority which they were designed to check and I am almost sure that Government has lost the moral support and the hearty goodwill of the vast majority of the people a loss which no amount of bureaucracy efficiency can balance or compensate. By its precipitate and indiscreet policy of drastic repression, the Government has not only lost the benefit of the reaction which had set in strongly in favour of law and order as a result of the deplorable outrages committed by the mob at Bombay on the 17th of November last, but has alienated a large amount of sympathy of the supporters of Government. It is a pity that the bureaucracy, in spite of all its vaunted ideas of efficiency and statecraft, has failed to utilise this psychological opportunity and has, on the contrary, created a spirit of resentment which would turn

the hearts of many away even from His Royal Highness the Prince o Wales, a mere look at whom is considered an act of piety by the people

I have to point out with great sorrow the utter futility and in expediency of the policy which the Government have adopted and of th methods pursued in furtherance of that policy. I must earnestly cal upon Government to adopt a course of wise and steady conciliation Abandon repression as an instrument of administration, lest a continuanc of the present policy may lead to a situation which will stiffen into deep and abiding hatred towards the Government. The best course for th Government to follow and I earnestly commend this suggestion to the attention of the Government is to withdraw the Criminal Law Amend ment Act (and the proclamations issued thereunder) and the Seditious Meetings Act and the other obnoxious measures which delimit the free dom of citizens and have raised a consternation in their minds. Remit the sentences of persons who have been convicted under the repressive laws and allow the most generous application of the provisions contained in Chapter 29 of the Criminal Procedure Code. Above all, remove the ban on public meetings and restore the Press to its freedom.

(Here, as his time was up, the member asked for permission to continue for a few minutes more.)

**The PRESIDENT:** There are so many speakers to-day that I am sorry I cannot allow you more time.

**Babu SURENDRA NATH MALLIK:** May I have only a minute's time to finish this —

**The PRESIDENT:** No.

**Kumar SHIB SHEKHARESWAR RAY:** Is not the mover entitled to speak for 30 minutes?

**The PRESIDENT:** Not in the case of adjournment.

**Kumar SHIB SHEKHARESWAR RAY:** Less than a month back in his very hall, while speaking on the then contemplated policy of the Government, I earnestly prayed: "Let not the so-called *Goonda Raj* be eplaced by a terrible *Gurkha Raj*." "Let nothing be done which would nduly interfere with our right as a citizen of a civilised country." ittle did I then dream that my worst fears would be so terribly realised nd that so soon. Never could I conceive that the Government would unch into a policy, a time-worn policy the policy of the mailed fist.

Those who have witnessed the *hartal* of the 17th November as well as he recent events, cannot help comparing them and their effects on the ublic mind The intimidations and excesses of the *hartal* day certainly aused a protest and resentment, but they pale into significance before he excesses coming in the wake of counteracting measures of the Government. They have raised a universal cry of protest and indigna- ion.

Sir, the last fortnight has been a fortnight of intense pain and agony to me; I wish I had not lived that period. I wish that period could be expunged from the official history of Bengal. Every day during all those days of agony, for about three hours, I had been in the affected areas. I wish you could see, all of us could see, what I have seen. Soldiers with machine-guns posted at the most crowded crossings, soldiers with fixed bayonets marching up and down the streets, European sergeants with revolvers moving about, followed by constables with regulation lathis - all in that sullen surging mass. And through that mass the inoffensive volunteers were wending their way, lustily cheering and being cheered, being arrested and being swelled in number by the people from the crowd. The infuriated sergeants abusing the people, pushing them down, raining blows on them, kicking them—and all the time the cries of *Gandhi Maharaj ki jai* ringing around. And, Sir, what moved me most was the self-restraint of the people. I saw a young man, bright and respectable, being surrounded by two sergeants and a number of constables. His only crime was that he was dressed in *khaddar*. The sergeants tore open his shirt and pushed him down; he fell, was kicked, but rose again with the Mahatma's name in his mouth. Blows were then showered to stop him. He never raised his hands even to ward them off. Then at last he was goaded to the thana, he crying all the time *Mahama Gandhi ki jai*. Sir, there was not a single man who was not moved at this sight, and the Indian constables turned their faces aside. And what of the crowd? Despair and hopelessness were writ large on the faces - deep resentment coupled with great self-command, a rancour corroding inside, hidden under a calm exterior.

Sir, the measures of the Government to stamp out non-co-operation and specially the means employed by its subordinates have installed it only on a firmer basis. Sympathy has won the non-co-operators a million followers. For who does not sympathise with human suffering? The smile of one bold man that cheerfully courts suffering for a crime which is not a sin but only a non-militant patriotism, however misguided it might be, converts millions to his faith. Do we not remember the passion of Christ, the banishment of Rama, or a second Kerbala?

Sir, perhaps I am visionary. To my mind's eye the recent events have opened a new vista. Whatever we might think of the methods of the non-co-operators, how much might be our opposition to their *modus operandi*, all of us want to attain the same object *Swaraj*. The people are no longer satisfied with what the Reforms have given them. They want more; and for the good of the country, for the stability of the State, more must be given. We must co-operate with the non-co-operators. We must all become co-operators once more. I shudder to think of the havoc the non-co-operation movement might play with our body politic if left to run its ever maddening career—to think that the weapons now used by the non-co-operators to secure a victory in the political strife, might as well be used to subserve the ends of classes against classes, of interests

against interests, of raiyats against zamindars! In a country at peace, public opinion would intervene and this could never happen. But with this political strife going on, the political non-co-operators would welcome all that could embarrass the authorities. And the result—chaos.

Shall our appeal go in vain to British statesmanship to rise to the occasion and save the country? The patriotic feeling, like the soul, is ever seeking salvation. Let it not in its blind groping meet its own annihilation. Will not the Heavenly Light shine forth to lead it kindly on?

**Maulvi EKRAMUL HUQ:** When I rise to discuss the present political situation I feel the heavy weight of responsibility that rests on my shoulders, but as a representative of the people and as a member of this Council, I owe it to myself, to my country and to Government, to acquaint the Government with the feelings and sentiments, the aims and aspirations of my countrymen and as to the light in which the repressive measures taken is viewed. You are not unaware, Sir, that when the war ended, India thought that the promises made to her will be fulfilled and a very bright future was hers all at once. But hopes were not deferred but shattered and the massacre at Jallianwalla Bagh convinced some of our most thoughtful and noble countrymen that the British Government knows only one law the law of might. To face the situation as he thought, Mahatma Gandhi started the movement of non-violent non-co-operation. Unlike the movement for the annulment of the partition of Bengal, it does not manufacture or import bombs or pistols to drive away the Government. We are told that daggers were found in an untenanted house. Mark, the house was empty. The days of daggers are over and every acid does not make bombs. Inflammatory epistles were circulated, but they have not inflamed the people so far, and we understand, Sir, that the non-co-operation movement aims at educating the people to dissociate themselves from Government and thereby to make the Government machinery unworkable and the Government impossible. But, says the Government, the movement is not non-violent and so all those who are pledged to carry on the propaganda form unlawful bodies and the law has taken, and is taking, its course against them. What were the acts of hooliganism done? Were these acts done by non-co-operators? What is the percentage of such persons to their actual number? What are the best remedies to be applied to restore order? These were the questions which the Government ought to have very seriously considered, and taken the members of this Council, at least the Ministers, into their confidence. We are told that no marks were found on the person of Mr. C. R. Das's son. But does not the doctor know that if a strong man presses the wrist of a boy he is sure to cause great pain without leaving any marks? What about the assault on Professor Maitra? I feel sure that Government have done nothing to the sergeant who violently assaulted a Khilafat worker without cause on the south of Writers' Buildings, as reported in the papers. The Government must

have found the allegation to be true. The Government have proved themselves incapable of handling the situation. Sir, is it not a fact that when the erring youths of Bengal were throwing bombs and shooting Government officials with pistols, the Government did not send to jail the great leaders of the movement? Will it be a wonder if the people regard the present action of Government as repression pure and simple and a gross abuse of power? They think that freedom of speech and freedom of action are indicated to make India remain at perpetual bondage.

But, Sir, has the Government succeeded in bringing about what they desired? They have sent one man to jail, only to realise that hundreds have taken his place. Have not the very persons who were the light and soul of the Moderate party condemned in no measured terms the steps taken to preserve peace and order? They think that the repressive measures will gradually put the whole country into the lap of non-co-operation. What a disheartening prospect! The Government will either have to put in jail the whole country or, in order to make them co-operators and to instil fear into their minds, to level the rifles, bayonets and *kukris* on the bare breasts of the non-co-operators. As a civilised Government, I feel sure they can certainly not take such a catastrophic step. I shall humbly ask the Government in the name of humanity to desist from the course they have taken and, in order to create an atmosphere of peace and goodwill, to release the political prisoners and to assure the heartiest welcome to the great and noble guest we have got in our midst.

The non-co-operators want independence, but the Government are only prepared to grant them *swaraj* under the ægis of the Crown, and that within a measurable distance of time. Let the Government consider all at once if the present is not the most opportune moment to grant *swaraj* to the country. The country persistently and insistently demands and prays for it, and no less a personage than His Excellency Lord Ronaldshay has been pleased to observe that this Council has been working satisfactorily and well, though Sir, you know that some of the best minds and brains of the country, who could be a glory to any nation in the world, have kept away owing to the non-co-operation movement. After this, will it not be flouting the wishes of united India to ask the country to wait for a commission when such commissions have proved their futility by the result of their labours?

We want to live in peace with our countrymen under the ægis of the British Crown. Sir, the situation is very delicate and grave, and I shall be content with quoting the *Westminster Gazette*. It says:

> Let there be no mistake about it, the position in India to-day is more critical than at any time since 1857. The reverberations of the Amritsar massacre have shaken British rule to its foundation. In India, in Ireland and Egypt it is the same story. The military-minded people have done everything possible to prevent any practical solution of any of these problems. They believe in force and they

have sought to apply force but one of the vital facts which they have overlooked is that Great Britain does not command enough force to go round. If they had their way they might crush Ireland, Egypt and India, and, that being so their essays in militarism cannot but lead to disaster even from their own point of view. The Irish question is on the way to settlement, mainly as a result of the obvious failure of force.

SIR, we are grateful to His Excellency the Viceroy for agreeing to have the round-table conference as proposed by Pandit Madan Mohan Malaviya. In conclusion I shall humbly beg the Government to pause, to reflect and to decide, and let our fervent prayers be that the decision for its transparent honesty, for its greatness and nobility of conception, will be the herald of peace and goodwill in the land, and in the eyes of the world will make England greater, grander and nobler than it has ever been in the past.

**MEMBER in charge of POLITICAL DEPARTMENT (the Hon'ble Sir Henry Wheeler):** It has been my lot to take part in this new Council in various debates in which it was not my good fortune always to see eye to eye with some of my fellow members and it has been my lot to explain the position of Government in the face of somewhat bitter criticism, but I have never taken part in a debate which I would sooner have avoided than this, for this one reason, that I have never been more impressed with the need for moderation and restraint in every word that is said. It is a truism to say that the atmosphere is electric. It is not a question of the ordinary batting of the police, an amusement which, in some sections of this Council, seems to be one of unending interest, but it is a question of the attitude of this Council as it will go forth to the world at large in the face of a grave crisis endangering law and order and the good administration of this province. It is open to all to help or hinder. We have a right to hope that all will help, though I cannot but have my doubts in the face of the first three speeches in the course of this debate.

Dictionaries have been ransacked to describe the heartless attitude and cruel repression of Government. Not a colour has been omitted to paint the halo round the heads of what, we are told, are inoffensive volunteers. Not an attempt has been made to answer the arguments and considerations which His Excellency has, twice, eloquently placed before the Council. Not an appeal to prejudice has been omitted, coming down, even in the face of the statements of His Excellency the Governor and His Excellency the Viceroy, to the stalest of stale tags that the action that has been taken is clearly one last effort on the part of a repressive bureaucracy. I shall endeavour therefore to get back to what are the main issues involved, although I would have thought that His Excellency's exposition would have relieved me of the trouble.

What is the situation with which we are faced? It is the outcome of a movement which, in pursuit of certain political aims has resulted in every province in India in bloodshed, disorder and confusion. A

concise picture of the all India situation is contained in the report of the committee which recently inquired into the working of certain laws at Simla, and from it I quote their conclusion:—

> Taking into consideration all the evidence we have received and the points to which we have adverted, and bearing in mind the still prevailing economic discontent, we cannot dismiss as improbable the danger of sudden sectarian, agrarian or labour disorder on a large scale culminating in riots

They give instances of what they call 34 notable cases of disorder which have occurred in India during the current year. That is, most briefly, the position in India as a whole.

Let me now give a few illustrations of the position in Bengal, with which we are more particularly concerned, for it is perhaps apt to be overlooked that the whole problem does not centre round Calcutta alone. There is outside this city this vast Presidency of 40 millions people, and the difficulties in the *mofussil* are just as acute as here. To cite an example in the district of Rangpur we have lately had reported an organisation of volunteers under a district captain and four vice-captains, definitely named, supported by two subordinate officers in each thana and a regular budget and funds, which, in addition to the better known objects of the non-co-operation movement, had set before itself the following five aims:—

> (1) the organisation of volunteers to be ready for civil disobedience,
> (2) the preparation of the people to abstain from payment of chaukidari and union board tax,
> (3) the preparation of the tenants to refrain from paying rents,
> (4) the preparation of the people to boycott the thana and the law courts,
> (5) to boycott higher grade police and other officers especially with regard to foodstuffs, and if as a result of this the Government start their own store and make local arrangements it is felt that it will be possible to place difficulties in the way of transport.

This last line has in fact been taken, and the Collector had to improvise supplies of food to various thanas and registration offices. The Council will have noticed the use of the term "civil disobedience" and in two other districts—namely, Noakhali and Faridpur—we have had the usual phenomena of a little knot of men forming themselves into a committee and saying: "We will have civil disobedience." What is civil disobedience understood to mean? Lest it be thought that it is merely an abstract subject for discussion, say, in a newspaper article, let me refer to an interesting definition of the term which we have recently had from a neighbouring province. The president of a meeting there lately outlined civil disobedience in the following terms:—

> A notice calling upon Government to grant *swaraj* within seven days will first be served upon the chief civil officer present in the locality selected for civil disobedience. Subsequently the residents of the particular locality will be directed to disobey all orders and laws of Government and to refuse to pay taxes, register documents, etc. At the same time police-stations and courts will be surrounded and the officials told to deposit their uniforms and other badges of office. Thereafter police-stations and courts will be treated as *swaraj* property.

That is a position which, I put it to the Council, can be summed up in one word, "anarchy." That is the civil disobedience which is being preached, and which, if we are to believe the three speeches which we have just heard, is a little excitement which, in the words of one speaker, can be disposed of by a "flick of a handkerchief."

Now, Sir, I could carry on these examples from the *mufassal* to Chittagong, which has been in a state of disturbance and agitation since April last, and to Howrah where disturbances have been intermittent throughout the year, culminating in firing in the streets and in the death of a policeman. But the chronicle is too long, and I pass to Calcutta, where the remarks of His Excellency have fortunately shortened my task. We are all aware that the incessant stream of inflammatory oratory and agitation in Calcutta culminated on the 17th November in a paralysis of the life of the city, and I was even surprised, when refreshing my memory as to those events, to see how openly what was done was gloried in by the leaders of the non-co-operation movement as having been done by their orders and direction. They were good enough to define in their instructions who might go about the streets and who might not; I even saw the statement that by the kindness of the Congress and the Khilafat committees certain shops would be allowed to open at 12 noon. There has never been any attempt to conceal the fact that the town was at that time, in the view of the non co-operators, subject to their orders—subject by the processes of intimidation with which we are well acquainted.

Now if that was the position—and I submit that this is a correct statement of the position—Government was obviously confronted with the question of what they were to do. Was this state of affairs to continue or was it to be checked? We were approached on all sides, in this Council and by such responsible bodies as the British Indian Association, to intervene and to restore some measure of law and order in a condition of things which was fast drifting to chaos. In these circumstances we took the measures of which the Council is well aware, namely, to declare certain associations to be illegal, to introduce the Seditious Meetings Act in one district and prohibit, by order of the Commissioner of Police, meetings and processions in Calcutta. I put it to the Council that short of these measures it would not have been possible to comply with the urgent requests so reasonably made to us from so many quarters to intervene in the interests of decent administration. That is the issue which is before the Council. Is it or is it not a fact that on the 17th of last month the people of this city were disgusted with the state of affairs and the prevailing terrorism? Is it or is it not a fact that constant pressure was brought to bear on Government by all sections of the people to bring about a better state of affairs? Can it in truth be said that the action of Government in attempting to curtail the activities of the gentlemen to whom the excitement is due has gone beyond the necessity of the case? If so, what is

the alternative which the Council would place before Government? Of that, however, we have heard singularly little, except from Babu Surendra Nath Mallik, who advises us to withdraw all our orders, release prisoners, reduce sentences and place on their trial the military and the police—a solution which, I trust, will not commend itself to the better sense of the Council.

These are the main issues and, to my mind, it is upon the main issues that to-day's debate really turns. The minor incidents are after all subsidiary, and I have no wish to refer to them at length. The papers have been full for the last few days of every wild kind of story. No tale has been too grotesque to obtain credence. I have myself had an educated barrister in my room asking me to ring up the Alipore Jail and ascertain if the son of Mr. C. R. Das had been badly assaulted in jail and was dead. People seemed to have vied with each other in promulgating any sort of rumour which they thought would tell against the administration. One complainant to me alleged that a soldier had made faces at him. Into that class of complaint I cannot inquire. It may be that an all-seeing Providence had designed that soldier's physiognomy in a way offensive to strict aesthetic taste. I know not; I care not, but I put it to the Council that into complaints of this nature I must respectfully decline to make inquiry. As regards the rest of the complaints, they are mostly allegations of assault, but it is noticeable that no serious case of hurt has been produced either before Government or the Commissioner of Police, although the latter has publicly signified his willingness to inquire into any specific allegation that is brought to his notice. The case which has figured most prominently in the public eye is that of Babu Heramba Chandra Maitra, and it is only fair to this gentleman to say that, so far as I am aware, he has not personally lent his influence to the use of the story as a means of exciting prejudice. I much regret that this gentleman, a venerable member of the educational community, should have become entangled in a street row, but without wishing to detract from that expression of regret, may I point out to the Council that what he did, doubtless with the best of motives, would have been interpreted in London as obstructing the military in the discharge of their duties? Another case is that of the son of Mr. C. R. Das, which has been referred to to-day. I can only say that in the absence of any complaint at the time by him to any responsible officer, for which there was ample opportunity, and in the absence of any sign of injury on his person commensurate with the allegation of violence committed, we are justified in thinking that the facts must have been seriously exaggerated.

**Babu SURENDRA NATH MALLIK:** I rise to a point of order. Can the Hon'ble Member proceed after he has exceeded the time limit?

**The PRESIDENT:** I don't think he can.

**Mr. AJOY CHUNDER DUTT:** It is just about a month that we met here to discuss the situation created by the *hartal* of the 17th of November. His Excellency Lord Ronaldshay before the debate told us that he was about to initiate a policy of repression for the purpose of preventing a repetition of the *hartal* of the 17th and also of dealing with the non-co-operation movement. I expressed my doubts as to the efficacy of repression for such purposes. I find that my prediction has come true. On the 17th November, despite the *hartal*, Calcutta was politically unaffected. The vast majority of Indians did not accept the principle of the non-co-operation movement. The situation is completely altered to-day. It is no exaggeration to say that the vast majority of the inhabitants of Calcutta are either non-co-operators or open sympathisers with the non-co-operation movement. This change of the political situation, to my mind, is due entirely to the policy of repression. I cannot understand why the Government initiated this policy. I do not know if all the members of the Government concurred in adopting this policy. I do not know whether the Ministers were consulted with reference to this measure. A letter appeared in the press a few days ago over the signature of Mr. A. C. Banerjee which stated that the Hon'ble Sir Surendra Nath Banerjea was not consulted. I do not know if this statement is true; if it is true, I frankly express my surprise. I had thought that the bureaucracy intended to work the Reforms in the spirit in which they were given. It was their clear duty to have consulted the Ministers on the questions of policy, and if this has not been done, they have violated an important and fundamental principle of the Reforms. Repression for the purpose of checking discontent has never been successful in any country. The history of the Irish movement supports my contention. If a veteran politician like Sir Surendra Nath Banerjea had been consulted, I feel sure he would have been able to suggest a more efficacious method for the purpose of dealing with the non-co-operation movement than the policy that has been adopted.

I now turn to the method of carrying out the policy. It is difficult to impose restraint on language when criticising the conduct of the police. I wish it to be clearly understood that I have no complaint against the police for carrying out their orders. Those who openly violated the law, had to be arrested, and the police did their duty in arresting them. But I cannot understand why the police were allowed to use force where force was not necessary. Ask any one living in the northern part of Calcutta and he will tell you that assaults by the police were a matter of daily occurrence. It is an admitted fact that there was no resistance on the part of the non-co-operators when arrests were made. There was no disturbance of any kind, and there was no apprehension of any disturbance. In these conditions, it is a matter of the deepest regret that the police were allowed to use their batons freely, ostensibly for the purpose of preserving law and maintaining order. I do not think that Government are in a position to deny that excesses were committed by the

police. In these circumstances, I think it is the duty of Government to express their regret for such excesses and take measures to prevent their repetition.

I shall now offer a few suggestions which, if accepted, may possibly allay public feeling; but before doing so I desire to express my views on the present aspect of the non-co-operation movement. The non-co-operator wants *swaraj*. I also want *swaraj*, by which I mean self-government within the Empire. The non-co-operator wishes to attain that goal by paralysing the Government. I wish to attain the very same goal by successfully working the Reforms and proving to Parliament that we are worthy of a full measure of representative government. I do not think it was necessary to invoke the assistance of the Criminal Law Amendment Act for the purpose of dealing with the present situation. The Indian Penal Code and the Criminal Procedure Code, to my mind, are quite sufficient for the purpose. The non-co-operators have deliberately violated the law as embodied in certain provisions of the Criminal Law Amendment Act; in that they have done wrong. I strongly condemn their policy of seeking arrests. I firmly believe that it is utterly impossible to attain *swaraj* by the methods which the non-co-operators have adopted. To my mind Government should do three things for the purpose of allaying the present discontent. Firstly, they should express their regret for the excesses of the police and take measures to prevent their recurrence. Secondly, Government should release all the political offenders. We know perfectly well that the trials that have been taking place of late are, properly speaking, no trials at all. If the accused had been properly defended, I am perfectly certain that 70 per cent of them would have been acquitted. A large number of persons arrested are not non-co-operators at all. A great many of them are students, to whom special consideration should be shown. They do not believe in the principle of that movement, but impelled by a feeling of indignation against the policy of repression initiated by the Government, they went out to court arrest as national volunteers. I feel that it would be an act of justice and clemency to release these men. Government should further withdraw the proclamations under the Criminal Law Amendment Act of 1908. As I said before, the ordinary law as embodied in the Indian Penal Code and Criminal Procedure Code are sufficient. The withdrawal of the proclamations will, I am sure, tend to allay public feeling. Thirdly and lastly, Government should publish a clear statement to the effect that individual liberty of action will not be interfered with on the 24th of December. There is a general impression amongst the shopkeepers that their licenses will be withdrawn if they do not keep their shops open on that day. I think it is the duty of Government to publish clearly their policy of non-intervention. If these suggestions are accepted, I feel sure that public feeling will be considerably allayed and that the present difficulty may be tided over without bloodshed.

**Mr. R. M. WATSON-SMYTH:** As I have often said both in this House and elsewhere, the Chamber of Commerce, as a rule, do not interfere in politics. When, however, one sees a statement written by a so-called Moderate in the Anglo-Indian press, to the effect that there is absolutely no Moderate who does not in his heart feel the indignity of the present domination of his country by a foreign official class, supported by a foreign trading and mercantile community, I feel that it is about time to speak out, and I intend to do so. One cannot disguise the fact that the events of the past month have evoked a most extraordinary outburst of public feeling. That this public feeling is honest in many cases, I have no doubt, and that it is dishonest in many other cases, I am perfectly certain. Against those whose convictions are honest, I have no complaint, but their mentality I find it impossible to understand.

For months now the poisonous doctrine of non-co-operation has been preached throughout the length and breadth of the land. Government, rightly or wrongly, decided on a policy of tolerance and patience in the hope that the impossibility of the ideal proposed would be killed by the logic of intelligent Indians and die without becoming a danger to the public. This hope was not fulfilled, for having failed with the bulk of the educated Indians, and more or less failed with the school children and the students, the agitators turned their attention to the ignorant masses of the people. Here they took a line which was bound to succeed if allowed to continue, and from the first it was obvious that success meant serious danger. They so worked on the superstition and the natural ignorance of the people, that they felt when the Prince's visit approached, that they were ready for a trial of strength with the Government. As far as Calcutta is concerned, that trial of strength came off on the 17th November, and for a certain number of hours the city of Calcutta was in their hands. To anybody who was in Calcutta on that day, the means employed in producing that *hartal* are perfectly well known. The non-co-operating agitator has done his best to obscure the story by his usual methods, *viz.*, exaggeration and falsehood, which he has brought into play over this *hartal* to the most extraordinary extent. We are asked to believe that the *hartal* was spontaneous, and came about because by persuasion, by argument and by soul-force the masses of Calcutta had begun to believe the political creed of non-co-operation. This cannot deceive anyone who was here at the time and kept his eyes open. The statement that the *hartal* was spontaneous is a travesty of the truth, and the statement that no violence was used, that no threats or foul abuse were uttered, and that no assaults took place, is a lie. At the end of this *hartal* the law-abiding citizen of Calcutta came to the conclusion that law and order must be maintained, and that Government must govern if they did not wish to become mere cyphers. His Excellency laid down the policy of Government in a speech in this House, and Sir Asutosh Chaudhuri himself, acting with a full sense of his own

responsibility, I quote his own words, at once moved the adjournment of the House to give us all a chance of proclaiming our loyal sentiments, and of stating our determination to back up the Government in all legitimate measures they saw fit to take.

The measures which the Government have taken since then are the only steps which they could take. They were the steps which we ourselves demanded should be taken. These organised societies which provided the means of general intimidation, picketing and the like, were declared illegal. The police were given instructions to arrest all those who were found picketing or intimidating people in the streets. This, I may say, is exactly what the Indian merchants of Burra Bazar had been asking for, for several months. They had written more than once to the Bengal Chamber urging them to use all the influence they had to enable them to carry on their legitimate business. Of course, everyone knew that when Government took these steps, the non-co-operators would not sit down quietly, and that some counter-effort would be made. The counter-effort has been to try and make the Government action look like tyranny. Government say there shall be no picketing, and the pickets will be arrested. The non-co-operators' answer is: "If you arrest our pickets, you will have to go on arresting hundreds of them, because we will manufacture pickets and drive them out for the sole purpose of being arrested." Having got to the end of their available volunteers in Calcutta, they are now apparently importing them from up-country. To make Government action look even blacker, they are again endeavouring to persuade the school children and students to try and get a little notoriety by going out and trying to be arrested. They have even tried other tactics of which I am ashamed to speak.

That the tactics of the non-co-operators have been successful I do not deny for a moment. In the face of this debate it would be absurd to deny it. These screams of tyranny have aroused an enormous amount of feeling, and many so-called Moderates who sat on the fence have now got openly down on the opposite side and many real Moderates are wavering. That is what I find so difficult to understand. The tactics of the non-co-operators are so obvious, that one would hardly think they would deceive a child, much less grown-up and intelligent men of the world.

The war-cry of the non-co-operator is *swaraj*. No one has yet been able to give me a definition of *swaraj* that I can understand, or at any rate one that is applicable to all circumstances. To Mr. Gandhi it appears to be a sort of ideal return to the Garden of Eden state, where the lion lies down with the lamb, and the leopard eats straw like the ox, and a little child is their leader. To the Moderate, I suppose, *swaraj* represents more or less the present form of Government, with himself sitting in the seat now occupied by Sir Henry Wheeler or Mr. Kerr. To the Khilafat extremist it means the triumph of Islam and the abasement of all infidels. To the red revolutionist it means the kind of *swaraj* that

Lenin and Trotsky gave to Russia. All that part is understandable, each has his axe to grind, and each understands what he is after. But the wicked part of the *swaraj* movement is the deception practised on the masses. They do not come into any one's picture except as pawns, as means to an end, to be used and thrown aside. They only understand the word *swaraj* as it is explained to them, and here comes in the cunning of the agitators. They whisper into each man's ear a definition of *swaraj*, which they know will appeal to his particular state of life. To the well-paid, well-fed worker in a jute-mill, they say that *Swaraj* means the same conditions of life and pay, but without any work to do. To the poor raiyats toiling in the fields and struggling in the meshes of the Mahajan, they whisper that *swaraj* means plenty to eat and debts all cancelled. But what it really means to all these ignorant men, workers and agricultural labourers in this country, and what has been carefully instilled into their minds is that *swaraj* means that all unpleasantness of Government will disappear, that there will be no police, that there will be no criminal laws, that there will be no prison, and that every man can loot his neighbour with impunity. The present Government is called the satanic Government. Can any ingenuity be conceived, that is more devilish than that which preaches such a *swaraj* to the ignorant masses in this country? It has been a spirit throughout the country which makes for anarchy. The masses have been led to believe that the British Raj is finished, and it is absurd to suppose that the excitement and unrest that this teaching has produced is caused by their anxiety to see the reins of power transferred to their fellow-countrymen. That is not what is exciting the raiyat. He is excited because he thinks that when the British Raj goes, all law and order goes with it, and this is raising a dangerous spirit of anarchy throughout the country which will lead to disaster if Government do not stop the spread of this wicked doctrine.

Government has now taken action and its authority has been challenged, and the time has come when we must declare ourselves on one side or the other. We have come to the parting of the ways. This is no question of reform. It is a question as to whether this country shall be ruled by a Government established by law, or whether it shall be ruled by men who wish to take the Government into their hands. Those who are loyal to their country, those who do not wish to see India thrown into a state of chaos such as exists in many parts of the Continent to-day, must rally to the side of Government, or they are lost. That many unfortunate incidents have arisen during the past months, Government themselves are ready to admit. Such things must happen; they are greatly to be deplored, but it does not mean that the Government policy is therefore to be abandoned. The authority of Government has been challenged: their orders have been defied, and they must either vindicate their authority or cease to exist. There can be no other course as far

as I see it. A certain section of eminent men have written proposing or rather urging a conference. What is the use of Government conferring with those gentlemen? They have no control over the ignorant masses whose passions have been aroused by the extremist agitators. They will ask, no doubt, for a great deal, but are powerless to give anything in return.

Hatred, unfortunately, is at the bottom of a great deal of this movement against the Government. Racial hatred, the blind hatred of the East for the West. The fanatics and ruffians are watching their opportunity. Those who understand the language and keep their ears open, hear a good deal of what is going on. They hear it amongst the groups of loafers at street corners, amongst the rougher class of workers, amongst the Sikh and Punjabi drivers of our motors and taxis as they wait for their employers, and amongst the Kabuli scoundrels that fatten on the poor. These people are the rank and file of this movement, and have been well taught by the agitators. They are looking anxiously forward to the times when Government ceases to function, and when the police are powerless. But it is not *swaraj* that they look for. It is not the happiness of their country, of which you hear them talking. No, it is red murder, the outrage of women, the looting of property which you hear them so eagerly discussing, and though it may be at the moment that is on the white man that their hungry eyes are fixed, the gentlemen of this Council can be well assured that when the outbreak comes, as come it will if matters are allowed to drift much further, the attack of the mob on life and honour and property will not be directed solely against Europeans, but all respectable people will be treated alike, if this monster of anarchy that is being created under the name of *swaraj*, breaks loose. Are we to be blind to the lessons of Bombay? Are the horrors of the Moplah rebellion to teach us nothing? To the Government therefore I say on behalf of my community, we heartily support you, and we urge you to see this matter through. Your conscience is clear, so keep on your course and enforce law and order with all the power at your command. Make every effort to minimize these regrettable incidents, but do not be frightened by the exaggeration and lies with which you are attacked, into withdrawing from the position you have taken up. For God's sake do not relapse into the old policy of drift and of attempting to cultivate a so-called peaceful atmosphere—

[Here the member reached his time limit and was not allowed to proceed further.]

**Sir ASUTOSH CHAUDHURI:** The country from one end to another believes that something is wrong—very wrong—and that it requires open discussion. It was with that object that I moved the adjournment of the House on the last occasion and it is with that object that I enter into this discussion to-night. I feel there ought to be candid discussion with regard to these matters. The country is disturbed—prodigiously

disturbed, and the time has come for us to say to the people what they should do. The time has come for us to say to them that when the Government has unfurled the flag of truce our people should stop to think. I feel that speeches like the one made by my friend, Mr. Watson-Smyth, should not be made. He referred to—I believe I took down the words correctly—the blind hatred of the East for the West. I do not think this is true. There is no blind hatred of the East for the West. I could give him a rejoinder, but I refrain from doing so as I do not like to acerbate feeling in a discussion of this character. If people are rushing to a fire, it is only legitimate to stop them, but by policing the crowd you do not put out the fire. It is your duty to find out the root cause of all this trouble and apply your mind to remedy it, and if you find that there is something wrong, that wrong must be redressed, and that you must be whole-hearted in your endeavour to remove that wrong. You can no longer play Providence to us behind closed doors. You have invited co-operation from the people, and I as a co-operator have come forward in the belief that you are deserving of, and still continue to deserve, our confidence. But when we are here and we find it stated without contradiction that one-half of the Government has not consulted the other half in respect of the present situation, what are we to think about it? I carefully listened to the speeches of His Excellency and Sir Henry Wheeler, but find in them no answer given to the above charge publicly made. I ask the House to remember what was said about this matter in the Montagu-Chelmsford report. It recommended close association in these matters, and in all matters where "the wishes and susceptibilities of the people are concerned." The Government must, in duty bound, ask for the co-operation and help of their Ministers. It seems, however, that this does not seem to have been done in the present case. We do not know what happened, and we have not got any definite assurance that the Ministers were consulted.

Mr. Watson-Smyth said, he was speaking on behalf of his community. He did not think that a conference was necessary, nor that it would do any good. But I believe that a conference of the kind which has been suggested by Pandit Madan Mohan Malaviya and referred to by His Excellency in his speech will do good. It is no use telling the people that you have an open mind, if you will not hear them. Whatever we have got to say, His Excellency himself is prepared to hear, and after he hears us he will, we have no doubt, apply an open mind to remedy grievances if found to exist. It is the duty of the Government, I feel, to call a conference to see what can be done to allay the present feeling.

His Excellency has said, so far as the persons arrested are concerned, and so far as the prosecutions are pending, he is prepared to release those who have been sentenced and to drop the prosecutions if he gets an assurance that nothing in the nature of provocation will come from that party.

It is a small request, and I feel sure it will be acceded to if the point is put to those who say that they are in close touch with the people. I have not the least doubt that in matters of this character an open discussion with all concerned, with all shades of opinion, should be allowed. I do not think it is necessary for me to say anything more, but I appeal to my friends here not to prolong the debate unduly because it serves no good, except perhaps one sees his name in the newspapers which is a doubtful good. I beg of each of you not to prolong the debate when you find that both the Governor and the Viceroy are prepared to meet the representatives of the people, and to have a discussion with them upon the present situation. I am glad that such a discussion is going to take place, and I am sure you all share the same opinion.

**The Hon'ble Mr. KERR:** I agree with Sir Asutosh Chaudhuri that there is something wrong, very wrong, at the present moment, but I look at the matter from a somewhat different aspect from him, and I ask the Council to join with me for a few moments in considering this question from the point of view of those who carry on the trade and commerce of this city. As Member in charge of the Commerce Department, it is my duty to keep in touch with such people, and it may interest the Council to know the impression that I have gathered of their feelings during the last few weeks. I am speaking now of those men, and I believe they form the large majority of the inhabitants of this city, who like myself, take little interest in politics but only desire to be allowed to go about their daily work without molestation. Immediately after the 17th of November I was daily assailed and very rightly assailed by men of this character belonging to all classes and races. I was told in great detail of the manner in which the *hartal* of the 17th November had injured their business and affected their earnings, and I was asked—and very rightly asked—why Government had taken no steps to prevent such interference with the law-abiding citizens of Calcutta and what steps Government proposed to take in the event of any similar occurrences in future. Well, during the last few weeks, I have been in close and constant touch with these people, and we have between us devised various measures for the purpose of meeting the threat of a *hartal* during Christmas week and of minimising the inconvenience to business people and trades people and the general public which would result from an attempt to give effect to that *hartal*. I need not take up the time of the Council by detailing at length the arrangements we have made. I will only say this, that before deciding on any measures at all, it was necessary for us to ascertain the causes of the *hartal* of the 17th November and to find out why those people who wanted to work on that day were prevented from working. The unanimous testimony of business men and trades people of every description is that the *hartal* of the 17th of November was due to intimidation, pure and simple. The great majority of the people wanted to work but were prevented from doing

go, because of stories sedulously spread about this city by men of the lowest class, the *goondas* and the hooligan class, of the terrible risks which would be run by shopkeepers who kept their shops open, by employees of the Gas, Electric Supply and Transport Companies who desired to keep these public utility services going, and generally by any law-abiding citizen who attempted to pursue his ordinary occupation against the wishes of this unscrupulous and tyrannical organisation. That, I say, was the root cause of the *hartal* of the 17th of November. Since then, events have become even more complicated. Wicked stories have been spread about this city that anybody coming out into the streets on the 24th of December will be shot down by the police and the military, that aeroplanes will be flying over Calcutta ready to drop bombs on the just and the unjust, the co-operator and the non-co-operator alike; and I regret to say that these stories have not been without effect. In spite of all efforts to assure the public that those who go about their lawful avocations during Christmas week need have no fear of molestation or injury, a feeling of unrest and disquiet continues. I submit that it is the duty of every member of this Council and of every man possessing any influence in this city to do his best to counteract the evil effects of rumours of this kind. The intimidation and picketing which was at first practised by *goondas* and hooligans has now, I regret to say, been taken up by college students and immature lads; and it was necessary last week to arrest a considerable number of these misguided youths. Only a couple of days ago, as I was walking across Dalhousie Square to my office, I met a crowd of these boys marching along under the mid-day sun, shouting out *Hartal ki jai* and similar war-cries. I do not think that I have ever seen any more melancholy and pathetic spectacle than these misguided youths wasting the best days of their lives in an occupation of this kind, jostled by the traffic and the passers-by and regarded with good-humoured contempt by the busy crowd of workers and wage-earners that is to be found in Dalhousie Square in the middle of the day. Surely, it is the duty of anybody who can influence these boys to put a stop to behaviour of this kind. I cannot imagine that any man of common sense, whatever his political views may be, can really expect that conduct of this kind on the part of the student population can do anything to advance India on the path of political progress. However, I do not want to go into that. I merely want the Council to realise the situation which we have to meet from the point of view of the trade and commerce of this city. We have this organisation of irresponsible people—people who are not concerned with trade or commerce—but who want to stop the trades people and the commercial people from carrying on their legitimate business in order to create a political impression. Their campaign, so far from relaxing in vigour, has shown signs during the past three weeks of growing in intensity and virulence; and I submit that as guardians of the interests of the law-abiding population it is absolutely essential for Government to take measures to stop this campaign. With the precise measure that have

been taken I am not for the moment concerned, but that it was necessary to stop the campaign is a simple proposition to which I ask the Council to give its assent. Even now the campaign is continuing. The introduction of mill-hands as picketers during the last two days is an ominous sign. The people who have shops and stalls in the markets are being intimidated from day to day; even the unfortunate tramwaymen who have lost so much money during recent months by unwise strikes and ill-considered measures of that kind are being tampered with. I warn the Council that the labour world is seriously disquieted at these attempts to stop poor men from earning their daily wages. The Central Labour Federation addressed Mr. Gandhi on the subject and received the reply that labourers need not observe *hartal* on account of the Prince of Wales' visit. Notice of Mr. Gandhi's views has been spread all over the industrial areas, but it remains to be seen what effect it will have in the face of the active opposition of those who profess themselves to be Mr Gandhi's followers. Merchants who look to Christmas week for making the best profits of the year view the situation with alarm and anxiety; and I submit that Government cannot sit by idly and leave them to suffer. On the contrary, it must put forth all its efforts to counteract this irresponsible attempt to make honest and law-abiding people cease work. It is inevitable that in these efforts to save the situation, inconvenience, suffering and loss must occur to individuals, but that is not the fault of the Government but of the agitators, whose avowed object is to make government impossible. If even now the promoters of this *hartal* on the 24th would relax their efforts and say openly that they will leave it to the judgment of individual citizens to decide whether they should carry on their ordinary work on that day or do as they please on that day, much of the present tension would be removed. But so long as these efforts persist, so long must the efforts of Government continue to protect honest and law-abiding citizens.

**Professor S. C. MUKHERJI:** After the most successful *hartal* on the 17th of November last the Government of Bengal considered it necessary to adopt a new policy for the maintenance of law and order. That policy consisted in the application of the Criminal Law Amendment Act of 1908 to certain political organisations in this province, but the way in which that law has been administered has created a situation the gravity of which no right thinking person can ignore. If the public press has made anything clear it is this—that the whole of the Indian population in Bengal is thoroughly dissatisfied with the present policy of the Government and the reckless way in which that policy is being carried into effect.

The principle which has governed the present policy of Government is that law and order must be maintained, so that law-abiding citizens may exercise freedom of action in all legitimate matters, and that under no circumstances can one section of the people be allowed to impose its will upon another section in such a way as to preclude the latter from

exercising that freedom of action which is the inherent right of every citizen of the Empire.

The interpretation which the Government of Bengal put upon the *hartal* of November 17th explains their present attitude. That interpretation is that the *hartal* of the 17th November was the direct outcome of wholesale intimidation and terrorism on the part of certain political organisations which had greatly interferred with the natural liberty of law-abiding citizens and proved a menace to the maintenance of law and order. I feel it is my duty to say that that interpretation is a misinterpretation and that there has been a regrettable failure in diagrosing the situation aright. This misinterpretation has led to the adoption of a policy which has brought about the present situation. The *hartal* of the 17th November was partly due to intimidation, but to a greater extent it was spontaneous. This spontaneity was mainly due to an atmosphere of discontentment and unrest produced by causes not merely political but economic. The Extremists are responsible for the creation of this atmosphere. They have a large following in the country and they have certainly succeeded in capturing the imagination of the masses by their zeal, self-sacrifice and most successful propaganda work. In my humble judgment this seems to be the true diagnosis of the present unrest. If my diagnosis be correct, the remedy lies not in the declaration of certain organisations employed by the non-co-operators as unlawful or in regarding the Extremists as a negligible quantity to be totally ignored or ruthlessly crushed, but in the adoption of a policy of conciliation which would bring about perfect co-operation and harmony between the Government on the one hand and all sections of the community including the non-co-operators, on the other, and thus lead to the realisation of the highest aspirations of the people.

True statesmanship demands that the present situation must be grappled with great tact and catholicity of spirit, and that tact and catholicity ought to be shown by the withdrawal of the Criminal Law Amendment Act of 1908 and by the immediate release of all prisoners sentenced under that Act and by the grant of complete provincial autonomy at as early a date as possible. In conclusion I support in a most whole-hearted fashion the suggestion for a round table conference.

**The Hon'ble the MAHARAJADHIRAJA BAHADUR of BURDWAN:** It is more than unfortunate that at a time when we, the Members of Government as well as the more reasonable section of the public, wanted a calm atmosphere, to give a fitting welcome to the heir to the Imperial Throne, we as a Government should have been forced into taking the action which we have had to take. But in India, as everybody knows—everyone who has had experience of the nor'westers that come in the months of April and May knows—even a cloud not bigger than a man's fist may suddenly bring rain in torrents and thunder and it can thunder as only Indian thunder can. Fortunately, for us, in the Government, although we feel that the recent happenings have thrilled to

a certain extent some of those whom we had expected to be more moderate and more reserved in their judgment although unfortunately some of them have shown themselves in a light, which I cannot, speaking individually, either understand or appreciate, I feel that the position is neither hopeless nor is the spirit in the country so bad that we cannot rally it round to law and order. It is not my intention, Sir, to go into the aspects of the launching of the different prosecutions which have been forced upon us, because it is a matter on which His Excellency spoke this afternoon not only with a great deal of authority but with the full support of his Councillors. It is not for me, Sir, to say whether we have acted rightly or wrongly in proclaiming one district in Bengal under the Seditious Meetings Act, or whether we were right in launching on what have been called indiscriminate arrests. It would suffice for me to say this, that no Governor could launch on a policy of this kind if he did not have at his back his Councillors; and I, for myself, wish to state clearly that what has been done by the Government of Bengal has had my fullest support; and in making this statement, I can only make a few observations as to why I, a Member of the Government, have acted in the same way as my colleagues Sir Henry Wheeler and Mr. Kerr have acted (A voice: "What about the Ministers?") His Excellency's speech made that clear. The number of meetings in which seditious speeches were indulged in were more than numerous, and the violent language not only used in some of the speeches but the open encouragement to such violence as were printed and circulated in notices were enough to make us realize that action was necessary. It will be further seen that whilst the Government were combating *hartal* as a thing wrong, as a thing unjustifiable not only from the point of view of the interference with the free movements of free citizens but also from the point of view that as an established Government it could not possibly tolerate, as the British constitution is constituted, that an open flout, that an open challenge should be made to the heir to the British Throne, when everybody who has studied British politics knows that the Sovereign is above politics; and what has pained me most as an Indian to-day is that whilst my sympathies go out to those who have had a rough handling during the last few weeks, whilst I fully sympathise with them, because I am an Indian and as an Indian I am entitled to understand Indian sentiments ("Hear, hear") whilst I can fully sympathise with the great emotion with which one or two speakers spoke of the things that they had seen during these recent incidents, I am afraid I am unable to understand this mentality which goes to say that when Government is forced to launch on a policy which must inevitably mean in practice a certain amount of interference with the rights of those who, for the time being, have lost their rights to that privilege, Government should at the same time be kind to them. How is it that the blame is placed on the shoulders of Government? I have not heard from a single speaker to-day, except from one speaker who said a few words of sense in a good deal of what I could not understand or appreciate, that the non-co-operators were grossly wrong in their policy

of launching upon the propaganda of bringing students and youths to carry on the principles of civil disobedience; I have not heard one speaker say that; nor have I heard it said, and that is what pains me most, that this particular *hartal* was being organised for any grievance or for any particular action in which the Government may have lost the confidence of the public. If it were so, I could have appreciated that fact; but when it is known that this *hartal* has been declared to show disrespect to the Prince of Wales (Cries of "No, no"); when it has been declared on all hands—the promoters of this movement have declared in every place where the Prince has gone—that the *hartal* is to be observed because of the Prince's visit, it is to me quite incomprehensible that a person, whether he be a Moderate or to whatever party he may belong, whether he views the action of the police or the military with disfavour, or whether he does not consider that certain officers of the police or the military were justified in handling some people roughly— I say it is incomprehensible to me and I cannot appreciate this mentality that India should so far forget itself as not to accord its inborn hospitality to the heir to the British Throne; I say inborn, because I may say, with a certain amount of emphasis, that the British Government, every provincial Government, every Governor in Council, is committed to the fact that the synonym of *swaraj* is a free India in the sense that Canada is free, in the sense that Australia is free ("Hear, hear"); but although every Government is committed to that fact, is it to be understood that India should so far forget itself that under the very constitution which gives them the constitution they seek, under the very constitution which makes the Sovereign a constitutional monarch, high above party politics or all politics—they should, in deeds or in words, give any idea to this fact that they do not wish to welcome the Prince, that they do not wish to show him that courtesy which is their heritage? Whatever our differences may be with the standard form of Government, whatever our grievances may be for certain actions of provincial Governments should we not show emphatically that we do not consider the Prince to be a part and parcel of that Government but we consider him to be the undoer of all wrongs, because it is the Sovereign to whom alone we can appeal? And he being the heir to the British Throne, we should sink all our differences and, on this occasion of the *hartal* of the 24th, use our best influence with those whom His Excellency the Viceroy has called to the round table conference to consider that aspect of the case and drop the *hartal* ("Hear, hear").

One word more and I am done. A challenge was thrown out by the first speaker as to whether or not the action that the Government has taken is the action of the Government as a whole. I can only speak for the half of the Government that I belong to; and I have already said that I share and shoulder equally with my other colleagues the responsibility of the action which we have been forced to take. As regards the Ministers, I do not belong to that part of the Government; whether they were equally responsible for it or not it is for them to say.

**Rai RADHA CHARAN PAL Bahadur:** Was Sir Abd-ur-Rahim consulted?

**The PRESIDENT:** I have got only about four minutes more.

**Rai JOGENORA CHUNDER CHOSE Bahadur:** Cannot you allow me any more time?

**The PRESIDENT:** The rules do not allow it, I am afraid.

**Rai JOGENDRA CHUNDER CHOSE Bahadur:** At the outset I must say that His Excellency Lord Ronaldshay has enunciated a calm and dispassionate policy. ("Hear, hear.") To-day it cannot be said that the Government is actuated by malice. I wished to say many things in this connection. Sir Asutosh Chaudhuri and my friend, Babu Surendra Nath Mallik, were the persons here who denounced the actions of the 17th of November and how can we find fault with the Government when it acts upon that denunciation and upon the advice of many of our own countrymen? No Government can afford to be defied and flouted. The provocation was great, but was the provocation grave enough in the words of the Penal Code to make the arrests of ladies and children—patriotic ladies—though misguided—like Miss Urmila Devi, Mrs. Basanti Devi and Miss Suniti Devi? Was it grave enough for the Magistrates—even Indian Magistrates—to inflict two years' hard labour on men like Professor Jitendra Lal Banerji, Padamraj Jain and Mr. Barman? When I hear of thousands of boys going and offering themselves to be incarcerated, I am reminded of the children's crusades of France and their lamentable end when designing Genoese ship-owners took little boys and girls in thousands and sold them as slaves to the Moors of Barbary——

**The PRESIDENT:** The time is up and the discussion automatically ceases. The result is that the motion is talked out.

## Prorogation.

**The PRESIDENT:** His Excellency the Governor has declared the Council to be prorogued.

The members then dispersed.

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